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COUNCIL JOURNAL

OF THE

FOURTEENTH REGULAR SESSION

—OF THE—

LEGISLATIVE ASSEMBLY,

OF THE

TERRITORY OF MONTANA,

HELD IN HELENA, THE SEAT OF GOVERNMENT OF SAID TERRITORY, COMMENCING JANUARY 12, A. D. 1885, AND ENDING MARCH 12, A. D. 1885.

PUBLISHED BY AUTHORITY.

ROBERT E. FISK,
PUBLIC PRINTER AND BINDER,
Helena, Montana.
1885.

MEMBERS OF THE 14th LEGISLATIVE ASSEMBLY.

COUNCIL.

NAMES.	COUNTIES REPRESENTED.	POST OFFICE.
F. K. ARMSTRONG, President	Gallatin	Bozeman
MARTIN BARRETT	Beaverhead	Bannack
H. R. BUCK	Choteau	Fort Benton
ED. CARDWELL	Jefferson	Cold Springs
WILLIAM A. CHESSMAN	Lewis and Clarke	Helena
W. H. COTANT	Custer	Miles City
STEPHEN DeWOLFE	Silver Bow	Butte
JAMES FERGUS	Meagher	Fort Maginnis
F. L. GREENE	Dawson and Yellowstone	Billings
WILL KENNEDY	Missoula	Missoula
A. H. MITCHELL	Deer Lodge	Deer Dodge
WILLIAM W. MORRIS	Madison	Madison

SUBORDINATE OFFICERS.

DAVID MARKS	Chief Clerk	REV. L L. WOOD	Chaplain
S. W. LANGHORNE	En. and Eng. Clerk	AMOS CALVIN	Sergt. at Arms
W. H. JOHNSON	Watchman	JAMES J. McEVILLY	Messenger

HOUSE OF REPRESENTATIVES.

NAMES.	COUNTIES REPRESENTED.	POST OFFICE.
JAMES E. CALLAWAY, Speaker	Madison	Virginia City
J. T. BALDWIN	Silver Bow	Butte
S. F. B. BIDDLE	Custer	Miles City
CLYDE EASTMAN	Missoula	Thompson's Falls
MARTIN L. EMIGH	Missoula	Corvallis
VAN H. FISK	Jefferson	Bedford
JOHN F. FORBIS	Silver Bow	Butte
GEORGE M. HATCH	Meagher	Big Elk
J. M. HOLT	Custer	Miles City
J. H. JURGENS	Lewis and Clarke	Marysville
CONRAD KOHRS	Deer Lodge	Deer Lodge
P. J. MOORE	Meagher	Martindale
GEORGE R. NICHOLS	Gallatin	Bozeman
W. H. NORTON	Yellowstone	Stillwater
J. M. PAGE	Beaverhead and Madison	Twin Bridges
F. L. PERKINS	Deer Lodge	Philipsburg
B. F. POTTS	Lewis and Clarke	Helena
JOHN M. ROBINSON	Gallatin	Bozeman
A. J. SELIGMAN	Jefferson, and Lewis and Clarke	Helena
H. M. SLOAN	Gallatin	Livingston
W. O. SPEER	Silver Bow	Butte
JESSE F. TAYLOR	Choteau	Choteau
GEORGE R. TINGLE	Dawson	Glendive
JAY WELLS	Beaverhead	Dillon

SUBORDINATE OFFICERS.

HARRY H. DAVIS	Chief Clerk	REV. FREDERICK T. WEBB	Chaplain
FRED. H. FOSTER	En. and Eng. Clerk	THOMAS B. WARREN	Sergt. at Arms
MATT McGUIRK	Watchman	ROBERT MERRIAM	Messenger

DIRECTORY

OF

TERRITORIAL AND FEDERAL OFFICERS

OF

MONTANA.

—o—

DELEGATE IN CONGRESS.

JOSEPH K. TOOLE.....Helena

EXECUTIVE DEPARTMENT.

GOVERNOR.

B. P. CARPENTER.....Helena

SECRETARY.

JOHN S. TOOKER.....Helena

AUDITOR.

JOSEPH P. WOOLMAN.....Helena

TREASURER.

DANIEL H. WESTON.....Helena

SUPERINTENDENT OF PUBLIC INSTRUCTION.

W. P. WYLIE.....Bozeman

ATTORNEY GENERAL.

WM. H. HUNT.....Fort Benton

JUDICIAL DEPARTMENT.

SUPREME COURT.

D. S. WADE, Chief Justice.....Helena
WM. J. GALBRAITH, Associate Justice.....Deer Lodge
JOHN COBURN, Associate Justice.....Bozeman
ISAAC R. ALDEN, Clerk.....Helena
CORNELIUS HEDGES, Reporter.....Helena

FIRST DISTRICT.

JOHN COBURN, Judge.....Bozeman
THEO. MUFFLY, Clerk.....Virginia City
HENRY N. BLAKE, District Attorney.....Virginia City

SECOND DISTRICT.

WM. J. GALBRAITH, Judge.....Deer Lodge
REUBEN L. DAVIS, Clerk.....Deer Lodge
W. Y. PEMBERTON, District Attorney.....Butte

THIRD DISTRICT.

DECIUS S. WADE, Judge.....Helena
BENJ. H. TATEM, Clerk.....Helena
WM. H. HUNT, District Attorney.....Fort Benton

UNITED STATES.

ALEX. C. BOTKIN, Marshal.....Helena
WM. H. DE WITT, District Attorney.....Butte
E. D. WEED, Deputy District Attorney.....Helena

FEDERAL OFFICERS.

—o—

COLLECTOR OF CUSTOMS.

THOS. A. CUMMINGS.....Fort Benton

INTERNAL REVENUE.

THOMAS P. FULLER, Collector.....Helena
THOS. H. IRVIN, Deputy Collector First Division.....Miles City
JOHN MOFFITT, Deputy Collector Second Division.....Helena
GEORGE F. MARSH, Deputy Collector Third Division.....Butte
JOSEPH SMITH, Deputy Collector Fourth Division.....Virginia City

LAND OFFICES.

SURVEYOR GENERAL.

JOHN S. HARRIS.....Helena

HELENA DISTRICT.

FRANCIS ADKINSON, Register.....Helena
Z. T. BURTON, Receiver.....Helena

BOZEMAN DISTRICT.

O. P. CHISHOLM, Register.....Bozeman
JOHN T. CARLIN, Receiver.....Bozeman

MILES CITY DISTRICT.

WASHINGTON CARR, Register.....Miles City
C. D. McGOULD, Receiver.....Miles City

ASSAY OFFICE AT HELENA.

RUSSELL B. HARRISON, Assayer.....Helena
M. A. MEYENDORFF, Melter.....Helena

FOURTEENTH LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF MONTANA.

COUNCIL JOURNAL.

FIRST DAY.

COUNCIL CHAMBER,
Helena, Montana, January 12, 1885.

Pursuant to a custom which has prevailed in the territory of Montana, James B. Wells, chief clerk of the thirteenth legislative council, at 12 M., called the roll of members returned as elected to the council of the fourteenth legislative assembly from the various counties of Montana territory as evidenced by the election returns deposited with the territorial auditor, and the following named gentlemen appeared and answered to their names, to-wit:

F. K. Armstrong, Gallatin county.
Martin Barrett, Beaverhead county.
H. R. Buck, Choteau county.
E. Cardwell, Jefferson county.
W. A. Chessman, Lewis and Clarke county.
W. H. Cotant, Custer county.
Stephen DeWolfe, Silver Bow county.
James Fergus, Meagher county.
F. L. Greene, Dawson and Yellowstone counties.
Will Kennedy, Missoula county.
A. H. Mitchell, Deer Lodge county.
W. W. Morris, Madison county.

On motion of Cardwell A. H. Mitchell was elected president *pro tem.*

Cardwell placed David Marks in nomination for chief clerk *pro tem.*

Chessman placed Hayden E. Riddle in nomination for chief clerk *pro tem.*

A ballot being had resulted in David Marks receiving 7 votes, Hayden E. Riddle 4 votes and blank 1.

David Marks was declared elected chief clerk *pro tem.*

On motion of Cardwell Amos Calvin was elected sergeant-at-arms *pro tem.*

On motion of DeWolfe W. H. Johnson was elected watchman *pro tem.*

Nominations for page *pro tem* were made as follows:

By Greene—Master James J. McEvily.
By Cardwell—Master James Shannon.
By Chessman—Master H. L. Cochran.

Upon a ballot being had the result was declared as follows:

James J. McEvily 7 votes, Shannon 1 vote, H. L. Cochran 3 votes.

James J. McEvily was declared elected page *pro tem.*

On motion of Morris the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk, *pro tem.*

SECOND DAY.

COUNCIL CHAMBER,
Helena, Montana, January 13, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President *pro tem* in the chair.
Roll called—quorum present.
Journal of first day read and approved.

On motion of Chessman the chair appointed Messrs. Chessman and Cardwell a committee to wait upon Chief Justice Wade to invite him to appear in the council chamber to administer the oath of office to the members.

On motion the council took a recess for ten minutes.

Council resumed.

Chessman presented Chief Justice Wade, who administered the following oath of office to the members elect of the council:

TERRITORY OF MONTANA, }
County of Lewis and Clarke, } ss.

The undersigned being first duly sworn, each for himself, and not one for the other, deposes and says:

I do solemnly swear that I will support, protect, and defend the constitution of the United States and the organic act of the territory of Montana, and that I will discharge the duties of my office with fidelity; that I have not contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my election, except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this territory, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law.

F. K. Armstrong.	W. H. Cotant.
M. Barrett.	S. DeWolfe.
H. R. Buck.	James Fergus.
Wm. A. Chessman.	F. L. Greene.
Edward Cardwell.	Will Kennedy.
A. H. Mitchell.	W. W. Morris.

I do hereby certify that I administered the foregoing oath to the above named members of the council of Montana territory on the 13th day of January, A. D. 1885; that I administered said oath in the council chamber in Helena, county and territory aforesaid, and that the office mentioned in the foregoing oath is that of a member of the council of said territory.

D. S. WADE,
Chief Justice of Montana.

On motion of Chessman the rules of the council of the thirteenth session were adopted temporarily.

On motion of Greene the council proceeded to a permanent organization.

Messrs. Chessman and Cardwell were appointed as tellers.

Nominations for the office of president were made as follows:

By Barrett—A. H. Mitchell.
By Chessman—F. L. Greene.
By DeWolfe—W. W. Morris.
By Cardwell—F. K. Armstrong.

Upon a ballot being had the result was declared as follows:

Mitchell, 2; Greene, 5; Morris, 3; Armstrong, 2. No choice.

Second ballot. Mitchell, 2; Greene, 5; Morris, 3; Armstrong, 2. No choice.

Third ballot. Mitchel, 2; Greene, 5; Morris, 3; Armstrong, 2. No choice.

On motion of Armstrong the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President *pro tem* in the chair.
Roll called—quorum present.

Council proceeded to the election of a permanent president.

Fourth ballot. Mitchell, 2; Greene, 5; Morris, 3; Armstrong, 2. No choice.

Fifth ballot. Mitchell, 2; Greene, 4; Morris, 3; Armstrong, 3. No choice.

Sixth ballot. Mitchell, 2; Greene, 4; Morris, 3; Armstrong, 2; Buck, 1. No choice.

On motion of Greene the council took a recess for ten minutes.

Council resumed.
Roll called—quorum present.

Council proceeded to ballot for permanent president.

Seventh ballot. Mitchell, 2; Morris, 3; Armstrong, 2; Buck, 5. No choice.

Eighth ballot. Mitchell, 2; Morris, 3; Armstrong, 1; Buck, 6. No choice.

Armstrong withdrew his name from the contest.

Ninth ballot. Mitchell, 2; Morris, 3; Armstrong, 1; Buck, 6. No choice.

On motion of Cardwell the council took a recess for 30 minutes.

Council resumed.
Roll called—quorum present.

Council proceeded to the election of a permanent president.

Tenth ballot. Mitchell, 2; Morris, 3; Armstrong, 3; Buck, 4. No choice.

Eleventh ballot. Mitchell, 2; Morris, 2; Armstrong, 4; Buck, 4. No choice.

Twelfth ballot. Mitchell, 2; Morris, 2; Armstrong, 4; Buck, 4. No choice.

On motion of Morris the council took a recess until 4 p. m.

Four p. m., council resumed.
Mr. President *pro tem.* in the chair.
Roll called—quorum present.

Council proceeded to the election of a permanent president.

Thirteenth ballot. Morris, 1; Armstrong, 2; Buck, 4; DeWolfe, 5. No choice.

Buck announced the withdrawal of his name as a candidate.

Fourteenth ballot. Morris, 1; Armstrong, 6; DeWolfe, 5. No choice.

Cardwell moved to adjourn until 10 a. m. to-morrow.

Motion lost.

Fifteenth ballot. Morris, 1; Armstrong, 6; DeWolfe, 5. No choice.

Sixteenth ballot. Morris, 1; Armstrong, 6; DeWolfe, 5. No choice.

Seventeenth ballot. Morris, 1; Armstrong, 6; DeWolfe, 5. No choice.

Eighteenth ballot. Armstrong, 8; De Wolfe, 4.

Mr. Armstrong having received a majority of all votes cast was declared elected permanent president of the council.

On motion the chair appointed Messrs. Morris and Buck a committee to escort Mr. Armstrong to the chair.

Nominations for the office of chief clerk were made as follows:

By Buck—David Marks.
By Chessman—H. E. Riddle.

A ballot being had resulted in David Marks receiving 7 votes and H. E. Riddle 5 votes.

David Marks was declared duly elected permanent chief clerk.

Nominations for enrolling and engrossing clerk were made as follows:

By Morris—S. W. Langhorne.
By Chessman—J. B. Walker.

A ballot being had resulted as follows:

Langhorne, 9; Walker, 3.

Langhorne was declared elected.

On motion of Cardwell Amos Calvin was elected sergeant-at arms by acclamation.

On motion of Mitchell W. H. Johnson was elected watchman by acclamation.

Nominations for messenger were made as follows:

By Buck—James Shannon.
By Morris—James J. McEvily.
By DeWolfe—H. L. Cochran.

The first ballot resulted as follows: Shannon, 3; McEvily, 5; Cochran, 3; blank, 1. No choice.

Second ballot. McEvily, 6; Cochran, 2; Shannon, 3; blank, 1. No choice.

Third ballot. McEvily, 11; Cochran, 1.

James J. McEvily was declared elected messenger of the council.

On motion of Mitchell the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

THIRD DAY.

COUNCIL CHAMBER,
Helena, Montana, January 14, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Journal of the second day read and approved.

Mr. A. J. Seligman, J. F. Forbis and Jay Wells, a committee on the part of the house, appeared at the bar of the council chamber and reported as follows:

Mr. President:

The undersigned, a committee appointed by the house for that purpose, beg leave to report that the house has been duly organized and is ready for business, and that the following have been elected as officers of the house, to-wit:

Speaker, Hon. James E. Callaway.
Chief clerk, H. H. Davis.
Enrolling and engrossing clerk, Fred H. Foster.
Sergeant-at-arms and doorkeeper, Thomas Warren.
Watchman, Mat. McGuirk.
Messenger, R. O. Merriman.
Chaplain, Rev. Fred. T. Webb.
A. J. Seligman, J. F. Forbis, Jay Wells, Committee.

Chessman moved that Rev. L. L. Wood be elected chaplain of the council.

Mitchell moved to amend by inviting all the clergy of the city of Helena to act as chaplains of the council. Amendment lost.

The motion of Chessman prevailed and Rev. L. L. Wood was declared elected chaplain of the council.

On motion of Greene the following resolution was adopted:

Resolved, that a committee of two be appointed by the chair to proceed to the hall of the house and inform that body that the council has organized by the election of the following officers, towit:

President, F. K. Armstrong.
Chief clerk, David Marks.
Enrolling and engrossing clerk, S. W. Langhorne.
Sergeant-at-arms, Amos Calvin.
Watchman, W. H. Johnson.
Messenger, James J. McEvily.
Chaplain, Rev. L. L. Wood.

And that the council is now ready to proceed with the business of the session.

In conformity to the resolution the chair appointed Green and Fergus as a committee.

On motion of Fergus the chair appointed Messrs. Chessman and Barrett as a committee to wait upon Rev. L. L. Wood and inform him of his election as chaplain of the council.

Upon motion of Morris the following resolution was adopted:

Resolved, the house of representatives concurring, that a committee of five, consisting of two members of the council and three of the house, be appointed by the chair to wait upon the governor and inform him that the two houses have organized permanently and are ready to receive any communication he may have to make.

In conformity with the resolution the chair appointed as a committee on the part of the council Messrs. Morris and Buck.

On motion of Morris the council took a recess until 4 p. m.

Four p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

Morris, of joint committee to inform the governor of the organization of the two houses, and that the legislative assembly were ready to receive any communication he may have to make, reported that they had performed the duty assigned them, and that the governor would communicate with the legislative assembly at 4 p. m.

The following message was received from the governor:

EXECUTIVE OFFICE, HELENA, M. T.

To the Council and House of Representatives:

It is cause for congratulation that you have convened at a time when order is as firmly established, life and property as sacred and secure, and justice as wisely administered in Montana as in the states. Since the last meeting of the legislative assembly the great increase of the territory in population, wealth, and the opportunities for the development of its exhaustless resources, will give to your deliberations and conclusions an importance that has not characterized any previous session. The knowledge, common to the people, that you are to make laws for a vast territory, which is unsurpassed in America for its salubrity of climate and its wealth in precious metals, and whose plains and valleys are underlaid with fuel and covered by the richest pastures, cannot for a moment escape your minds. It is fortunate that in the constitution of the two branches the choice has been made of so many who have a thorough acquaintance with the varied interests and industries of the territory.

It seems proper that your attention should now be invited to some of the matters that have been deemed worthy of consideration by the people.

1. Although the percentage of crime has largely diminished the penal institutions established for an infant settlement are insufficient for the great increase of population. In the absence of an appropriation by congress to enlarge the penitentiary some provision by you will be necessary for the confinement of convicts.

2. It is suggested that in the near future the criminal law would probably be enforced with less difficulty by the election of a prosecuting officer for each county instead of one for each judicial district.

3. There appears to be good ground for the general opinion that the fees of public officers in the territory are greatly disproportionate, and in some cases, on account of recently improved facilities for travel and transportation, largely in excess of a just compensation for services performed.

4. Much inconvenience would be avoided if the official term of notaries public should expire at some time during the session of the legislative assembly.

5. As a true expression of the popular will can only be obtained through the ballot box it is submitted that it would be wise to provide by law for ascertaining by proper proofs the persons entitled to vote at elections. Whether such a provision should be general or limited in its application to the more populous portions of the territory is also a proper subject for your consideration.

6. For the purpose of statistical information, and the correction of abuses, it seems desirable that public officers, so far as practicable, should be required to make both a detailed and classified report of their official transactions to some supervising authority.

7. The condition of the territorial law library is such that not only the broken sets should be filled, but a reasonable addition should also be made.

8. The commissioners appointed to represent the interests of Montana at the World's industrial and cotton centennial exposition at New Orleans have already performed a work of immense value to the territory. It is reasonable that the territory, for whose benefit their energies have been exerted, should furnish necessary assistance for the completion of their undertaking.

9. The auditor of the territory has reported to me the fact that the expenses of the territorial government for the past year were $28,558.77 in excess of the revenue. It therefore becomes necessary that the system of taxation, if in any respect faulty, should be

so revised, or the expenses of government so reduced, that the revenue derived shall honor all legal demands upon it. It would be greatly to the advantage of Montana that it should long continue to be a fact that she owes not a dollar.

10. As to our federal relations the right of petition will not be denied you. There is now a pressing demand that the penitentiary should be made adequate to the requirements of a largely increased population. Still another question engrosses the attention of the people. As to that, it may be said that millions of acres, now idle, could, without detriment or discomfort to a human being, be opened for use and production; but it is hoped that no disposition of public lands or reserved tracts will be so made as to retard the settlement of the territory.

The reports of the several officers and boards charged with the duty of reporting will be transmitted to you at an early day. From the details of these reports you will obtain accurate information as to the conduct of the different branches of the territorial administration. It is a pleasure to state that no complaint of official misconduct has reached me, and it is a gratification to know that our common school system, excellent in itself and wisely conducted, is furnishing to the youth all the advantages to be found in older communities.

Relying much upon those who committed their early fortunes to a new land to give me the benefit of their wisdom and experience it shall hereafter be my privilege to communicate with you upon matters of public concern as occasion may require. It is hoped that all of the departments of the territorial government will co-operate for the promotion of the general welfare and the advancement of every legitimate interest, without sectional prejudice or partisan bias, so that there may be a just, economical, and enlightened administration of public affairs. B. P. CARPENTER.

On motion of Chessman the message was referred to the committee on printing as soon as such committee be appointed by the president.

On motion of Mitchell the rules of the council of the thirteenth session were adopted as the rules of this session.

On motion of Chessman the council adjourned until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk.

FOURTH DAY.

COUNCIL CHAMBER,
Helena, M. T., January 15, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called, quorum present.
Journal of third day read and approved.

On motion of Mitchell the vote by which the governor's message was referred to the committee on printing was reconsidered.

On motion of Mitchell the governor's message was made a special order for 2:30 p. m. of this day.

The following communication was received:

HELENA, M. T., January 14th, 1885.
HON. FRANK K. ARMSTRONG, President of the council.

SIR.—We the undersigned appointed by the president of the United States, to represent the territory of Montana at the World's exposition at New Orleans, respectfully submit the following statement of disbursements made and liabilities incurred:

Paid out by W. A. Clark in Butte,	$1,684 85
" " " J. S. Harris in Helena,	757 45
" " " " " in New Orleans,	3,414 70
	5,857 00
Cash on hand in New Orleans,	843 00
	$6,700 00

This $6,700 00 was received as follows:

Apportionment by director general,	$4,000	
" " " H. Qr.,	1,000	
Subscribed by individuals, to be returned	1,700	$6,700.

We respectfully ask an appropriation of $5,000 by your honorable body for the following purposes:

To refund cash advanced by individuals,	$1,700
To pay for 10,000 pamphlets, - -	1,500
Wanted in New Orleans, to complete the work	1,800
	$5,000

All of which is respectfully submitted.

JOHN S. HARRIS,
WM. A. CLARK,
Commissioners for Montana.

On motion of Mitchell, the commnication was referred to the committee on ways and means.

The chair announced the appointment of the following standing committees:

Council standing committees:

Ways and means—Morris, Fergus, Mitchell.
Judiciary—DeWolf, Buck, Chessman.
Internal improvements—Greene, Cardwell, Kennedy.
Federal relations—Fergus, Barrett, Greene.
Education and labor—Mitchell, Cotant, DeWolfe.
Towns and counties—Cardwell, Greene, Morris.
Public lands—Barrett, Fergus, Cotant.
Military affairs—Morris, Chessman, Mitchell.
Incorporations—Buck, Chessman, Morris.
Agriculture and manufactures—Fergus, Barrett, Cardwell.
Elections—Buck, Fergus, Morris.
Indian affairs—Mitchell, Greene, Barrett.
Mines and minerals—Morris, Chessman, DeWolfe.
Immigration—Cardwell, Kennedy, Cotant.
Roads and Highways—DeWolfe, Greene, Barrett.
Engrossment—Chessman, Mitchell, Kennedy.
Enrrollment—Mitchell, Barrett, Kennedy.
Printing—Kennedy, Morris, Buck.
Grazing and stock growing—Cotant, Barrett, Fergus.

Notices of the introduction of bills were given as follows:

Mr. President:

I hereby give notice that on to-morrow or some future day, I will introduce a bill to provide a commission to divide the territory into proper sized counties, having due regard to populations, natural boundaries, present county lines, etc.

James Fergus.

Mr. President:

I give notice that I will on to-morrow or some future day, ask leave to introduce the following bills:

An act regulating the public printing.

A joint memorial to congress, relating to Northern Pacific railroad land deeds and contracts.

An act amending the probate practice act.

As act changing the name of James William Hackleman to William Cave.

An act regulating inheritances.

An act regulating assignments.

An act amending section 529 of the fifth division of the revised statutes of Montana.

WILL KENNEDY.

No motion of Morris the chair appointed Messrs. Morris and Chessman a committee on the part of the council to act with a committee of a like number of the house, upon joint rules for the government of the two houses.

On motion of Mitchell the Chaplain, Rev. L. L. Wood, was granted a leave of absence for two days.

On motion of Morris, the council took a recess until 2 p. m.

Two p. m. council resumed.
Mr. President in the chair.
Roll called—quorum present.

Barrett gave notice as follows:

Mr. President:
I hereby give notice that I will at some futue day introduce a bill to divide the counties into three districts each, for the purpose of electing county commissioners.

M. BARRETT.

On motion of Greene, the chair appointed Messrs. Greene, Kennedy and Barrett, a committee on mileage.

The following communications were received from the house.

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 15, 1885.

Mr. President:

I am instructed to inform your honorable body, that notices of the introduction of bills in the house, were given as follows:

By Potts—"A bill for an act to punish and supress prize fighting in the territory of Montana."

Also, "A bill for an act to repeal an act to amend an act to provide for the payment of stock killed or injured by railroads."

Also, "A bill for an act to repeal an act to increase the compensation and mileage of county commissioners."

By Seligman—"A bill for an act to amend section 909 of the fifth division of the revised statutes of 1879, of the territory of Montana."

Also, "A bill for act concerning oaths of office."

By Wells—"A bill for an act relating to the registration of voters."

By Seligman—"A bill regarding amendments to the license laws."

By Forbis—"A bill for the relief of William A. Clark."

Also, "A bill for the creation of the office of county attorney."

By Norton—"A bill to amend an act entitled an act to create the county of Yellowstone."

By Fisk—"A bill to create the county of Valley, and for the election of officers thereof."

That bills were introduced as follows:

By Seligman—H. B No. 1, "A bill for an act to amend section 909 of the fifth division of the revised statutes of 1879."

Also, H. B. No. 2, "A bill for an act concerning oaths of office."

By Potts—H. B. No. 3, "A bill for an act to punish and suppress prize fighting in the territory of Montana."

Also, H. B. No. 4, "A bill for an act to repeal an act to provide for the payment of stock killed or injured by railroads, approved February 23d, 1881 and to repeal an act to amend an act to provide for the payment of stock killed or injured by railroads, approved March 2d, 1883."

Norton introduced H. J. M. No. 1, "To the congress of the United States, concerning the leasing and reduction of the Crow Indian reservation."

Under a suspension of the rules the memorial was read a third time, passed, and is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Helena, M. T., January 15, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Mr. Seligmen introduced H. J. R. No. 1 "For the employment of an assistant to the chief clerk, committee clerks, and an extra messenger."

That notices of the introduction of bills were given as follows:

By Seligman—"A bill concerning the qualification of electors."

Also, "A house joint resolution to provide for the expenses of the Montana exhibit at the World's Industrial and Cotton Centennial Exposition, now in progress at New Orleans."

By Sloan—"A bill creating the county of Park and for the election of officers thereof."

By Biddle—"A bill for an act defining the duties of county commissioners."

That Mr. Potts introduced H. B. No. 5, "A bill for an act to amend an act to increase the compensation and mileage of county commissioners, approved January 31st, 1883.

By Forbis—H. J. R. No. 2, "For the relief of William A. Clarke."

By Seligman— H. J. R. No. 3, "To provide for the expenses of the Montana exhibit at the World's Industrial and Cotton Centennial Exposition, now in progress in New Orleans."

HARRY H. DAVIS, Chief Clerk.

H. J. M. No. 1, "To the congress of the United States concerning the leasing and reduction of the Crow Indian reservation," was read first and second times ,rules and on motion of Mitchell the rules were suspended the memorial read a third time by title and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—DeWolfe.—1.

Title agreed to.

The council resolved itself into committee of the whole for the consideration of the governor's message.

Mitchell in the chair.

Council resumed.

Mr. President in the chair.

Mitchell of committee of the whole was granted further time in which to report.

On motion of DeWolfe, the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

FIFTH DAY.

COUNCIL CHAMBER,
Helena, Montana, January 16, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Journal of fourth day read and approved.

The following report was received, and on motion of Chessman adopted:

Mr. President:

The committee of the whole having under consideration the governor's message have instructed me to report the same with the folfowing references:

Section 1, to committee on internal improvements.
Section 2, to committee on judiciary.
Section 3, to committee on ways and means.
Section 4, to committee on judiciary.
Section 5, to committee on elections.
Section 6, to committee on towns and counties.
Section 7, to committee on judiciary.
Section 8, to committee on ways and means.
Section 9, to committee on ways and means.
Section 10, to committee on federal relations.

MITCHELL, Chairman.

Notices of the introduction of bills were given as follows:

By Buck—"A bill entitled an act to amend chapter 4 of the code of civil procedure."

By Chessman—"A bill for an act entitled an act to amend section 2 of 'An act to protect game, fur-bearing animals and fish,' approved March 8, 1883."

Kennedy introduced C. J. M. No. 1, "Relating to N. P. R. R. land deeds and contracts."

Bills were introduced as follows:

By Fergus—C. B. No. 1, "A bill for an act concerning the division of the territory into counties."

By Kennedy—C. B. No. 2, "Amending the probate practice act." Also,

C. B. No. 3, "Regulating the public printing." Also,

C. B. No. 4, Changing the name of James William Hackleman to William Cave." Also,

C. B. No. 5, "An act regulating assignments." Also,

C. B. No. 6, "Amending section 529 of the fifth division of the revised statutes of Montana." Also,

C. B. No. 7, "An act regulating inheritances."

C. J. M. No. 1 was read first and second times and on motion of Kennedy was referred to the committee on public lands.

C. B. No. 1 was read first and second times and on motion of Morris was referred to committee on towns and counties.

C. B. No. 2 was read first and second times and on motion of Kennedy was referred to the committee on judiciary.

C. B. No. 3 was read first and second times and on motion of Mitchell was ordered printed.

C. B. No. 4 was read first and second times and on motion of Mitchell was referred to the committee on judiciary.

C. B. No. 5 was read first and second times and on motion of Mitchell was referred to the committee on judiciary.

C. B. No. 6 was read first and second times and on motion of Cardwell was referred to the committee on elections.

C. B. No. 7 was read first and second times and on motion of Chessman was ordered printed.

The following report was received:

Mr. President:

Your select committee appointed to ascertain the number of miles necessarily traveled by members of the fourteenth legislative council in reaching the seat of government of Montana and returning to their homes have discharged the duty assigned them, and beg leave to report as follows;

Armstrong, F. K.,	220 miles.	Fergus, James,	450 miles.
Barnett, Martin,	390 "	Greene, F. L.,	685 "
Buck, H. R.,	300 "	Kennedy, Will,	250 "
Chessman, W. A.,	2 "	Mitchell, A. H.,	128 "
Cotant, W. H.,	1096 "	Morris, W. W.	310 "
DeWolfe, S.,	212 "	Cardwell, Ed.,	150 "

Respectfully submitted,

F. L. Greene,
WILL KENNEDY,
M. BARRETT,
Committee.

On motion of Morris the report was adopted and the committee discharged.

On motion of Greene the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

SIXTH DAY.

COUNCIL CHAMBER,
Helena, M. T., January 17, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of the fifth day read and approved.

On motion of Mitchell C. B's Nos. 1, 2, 5 and 6 were recalled from the various committees to which they had been referred and ordered printed.

Notices of the introduction of bills were given as follows:

By DeWolfe—"A bill to amend section 575 of the fifth division of the revised statutes."

By Buck—"A bill for an act to provide for the taking of the deposition of a witness in a criminal case on behalf of the territory, when he is required to give bail for his appearance, with sureties, and is unable to do so, amending section 24 of the third division of the Criminal Practice Act."

The following communication from the house was received:

HOUSE OF REPRESENTATIVES,
HELENA, MONT., Jan. 16, 1885.

Mr. President:

I am directed by the house to inform your honorable body that notices of ths introduction of bills were given as follows:

By Potts—"A bill to amend sections 585 and 586, article 2, chapter 22, revised statutes."

By Speer—"A bill to provide for the publication of an itemized statement of licenses collected quarterly by county treasurers."

By Emigh—"A bill to create the county of Bitter Root, and for the election of officers thereof."

Mr. Sellgman introduced H. B. No. 6, "A bill for an act concerning the qualification of electors.

HARRY H. DAVIS, Chief Clerk.

On motion of DeWolfe the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

The following notice was presented:

Notice is hereby given that I will on to-morrow or some future day introduce a bill to amend section 188, chapter 4, of the first division of the revised statutes of the territory of Montana.

KENNEDY.

Buck introduced C. B. No. 8, "Regulating the attachment of real estate," an act entitled an act to amend chapter IV, of the Code of Civil Procedure.

Read first and second times and ordered printed.

Greene introduced C. J. R. No. 1, "To provide for the printing of bills, payment for which is not provided for by the government of the United States."

Read first and second times and referred to the committee on ways and means.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 17, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Holt—"A bill for an act in relation to the funding of tne indebtedness of Custer county."

By Seligman—"A house joint resolution for the relief of Fisk Bros., Helena."

That bills were introduced as follows:

By Norton—H. B. No. 7, "A bill for an act to set off a portion of the county of Gallatin and to attach the same to the county of Yellowstone, and to change boundary lines accordingly."

By Biddle—H. B. No. 8, "A bill for an act to define the duties of county commissioners."

Bills have passed the house as follows:

Substitute for H. J. R. No. 1, "For the appointment of committee clerks."

H. J. R. No. 2, "For the relief of Wm. A. Clarke."

The bills so passed are herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

Substitute for H. J. R. No. 1, "For the appointment of committee clerks," was read first and second times and referred to the committee on ways and means.

H. J. R. No. 2, "For the relief of Wm. A. Clarke," was read first and second times and referred to the committee on ways and means.

On motion of Cardwell the council adjourned until 10 a. m. Monday.

DAVID MARKS, Chief Clerk.

EIGHTH DAY.

COUNCIL CHAMBER,
Helena, Montana, January 19, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of sixth day read and approved.

On motion of Morris Mitchell was excused for the day.

A petition from citizens of Missoula, asking that a law be passed by which municipal corporations may be enabled to discontinue their corporate existence, was read and referred to the committee on towns and counties.

The following reports were received:

Mr. President:

Your committee on ways and means to whom was referred H. J. R. No. 2, "For the relief of William A. Clarke," have had the same under consideration and beg leave to report it back with the recommendation that it do pass.

MORRIS, Chairman.

Mr. President:

Your committee on ways and means to whom was referred the communication of Hon. J. S. Harris and Wm. A. Clarke in reference to the World's Industrial Exposition at New Orleans, have had the same under consideration and are of the opinion that a proper exhibit of the varied resources of our territory would tend to lead emigration and capital within our borders that might otherwise remain away.

Your committee would therefore recommend such legislative assistance as may be deemed best for the promotion of Montana's future interest.

All of which is respectfully submitted.

MORRIS, Chairman.

Mr. President:

Yonr committee on ways and means to whom was referred substitute for H. J. R. No. 1 for the appointment of committee clerks, have had the same under consideration and would respectfully report it back with the following amendment, and as amended recommend that it do pass.

MORRIS, Chairman.

The following were the amendments offered to H. J. R. No. 1, which on motion of Barrett were adopted.

Strike out after the word "employ," in line five, all that portion down to the word "and" in line nine, and insert in lieu thereof the following: one clerk for each of said committees whose duty it shall be to assist the chief clerk and the enrolling and engrossing clerk, and the committees of the two houses, and perform such other duties as may be assigned them.

The following message was received from the governor:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, January 19, 1885.

To the Legislative Assembly:

I have the honor herewith to transmit to the legislative assembly the report (not in duplicate) of the directors of the law division of the Montana library for the year 1884.

Also, the report (not in duplicate) of the librarian of the law division of the Montana library for the year 1884, and

Also, a report (not in duplicate) by the president of the historical society of Montana for the year 1884.

Respectfully,
B. P. CARPENTER.

On motion of Morris the message and accompanying reports were referred to the committee on judiciary.

Bills were introduced as follows:

By DeWolfe—C. B. No. 9, "An act to amend section 575 of the fifth division of the revised statutes."

By Barrett—C. B. No. 10, "A bill for an act to divide the several counties into districts for the election of county commissioners."

By Kennedy—C. B. No. 11, "Amending section 188, first division, revised statutes of Montana."

By Buck—C. B. No. 12, "Regulating the taking of the deposition of a witness in a criminal case in behalf of the territory." "An act entitled an act to provide for the taking of the deposition of a witness in a criminal case on behalf of the territory when he is required to give bail for his appearance with sureties, and is unable to do so." "Amending section 24 of the third division of the criminal practice act."

By Chessman—C. B. No. 13, "An act to amend an act to protect game, fur-bearing animals and fish, approved March 8, 1883."

C. B. No. 9 was read first and second times and referred to committee on printing.

C. B. No. 10 was read first and second times and referred to the committee on towns and counties.

C. B. No. 11 was read first and second times and referred to the committee on judiciary.

C. B. No. 12 was read first and second times and referred to the committee on judiciary.

C. B. No. 13 was read first and second times and referred to the committee on towns and counties.

The following communication was received:

HOUSE OF REPRESENTATIVES.
Helena, Montana, January 19, 1885,

Mr. President:

I am instructed by the house to inform your honorable body that H. J. R. No. 3 has passed the house and the same is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

H. J. R. No. 3, "To provide for the expenses of the Montana exhibit at the World's Industrial and Cotton Centennial Exposition now in progress in New Orleans," was read first and second times and referred to the committee on ways and means.

On motion of Morris the rules were suspended, the amendments to substitute for H. J. R. No. 1 as reported by the committee on ways and means were considered engrossed, read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—11.

Noes—None.

Absent—Mitchell.

Title agreed to.

H. J. R. No. 2 was read third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—11.

Noes—None.

Absent—Mitchell.

Title agreed to.

On motion of Kennedy the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.
The president called Mitchell to the chair.
The following report was received:

Mr. President:

The committee on printing beg leave to report back C. B's Nos. 1, 2, 3, 5, 6, and 7 as correctly printed.

KENNEDY, Chairman.

Notices of the introduction of bills were given as follows:

By Greene—"A bill providing for the Billings, Montana, fire department."

By Chessman—"A bill for an act to amend an act entitled an act to incorporate the city of Helena, approved Feburary 22, 1881."

C. B. No. 1 was referred to committee on towns and counties.

C. B. No. 2 was referred to the committee on judiciary.

C. B's Nos. 5 and 7 were referred to committee on judiciary.

C. B. No. 3 was referred to the committee on ways and means.

C. B. No. 6 was referred to the committee on elections.

On motion of Greene the council took a recess for ten minutes.

Council resumed.
Mr. President in the chair.
Roll called—quorum present.

The following report was received:

Mr. President:

We, your committee on ways and means, to whom was referred H. J. R. No. 3, "To provide for the expenses of the Montana exhibit to the World's Industrial and Cotton Centennial Exposition," beg leave to report that we have had the same under consideration and report it back with the recommendation that it do pass.

FERGUS.
MITCHELL.

On motion of Mitchell the rules were suspended, and H. J. R. No. 3 was placed upon its final passage.

H. J. R. No. 3 was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Mr. President.—9.

Noes—Barrett, Kennedy.—2.

Absent—Morris.—1.

Title agreed to.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., January 19, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Tingle—"A bill for an act to amend sections 1002, 1012, 1015, 1019, 1020, 1022, 1025, 1031, 1032, 1035, 1037, and 1039 of chapter 53, article 1 of fifth division of general laws of revised statutes, relating to levying and collection of taxes and taxable property generally."

By Page—"A bill for an act to amend section one, of an act concerning fences," approved February 23d, 1881, an add a section thereto to be known as section 11.

By Eastman—"A bill for the creation of the county of Pen. d. O'reille, and the election of officers thereof."

By Potts—"A bill to amend article 3 and section 20 of article 7 of an act to incorporate the city of Helena.

Also, "H. J. R. appropriating $128 50, to compensate Charles H. Snell, for reading and correcting proof of constitution of Montana, and address to voters, and putting in wrappers, addressing and mailing 10,000 copies of same to voters."

That Seligman introduced H. J. R. No. 5, "For the relief of Fisk Bros., Helena.

That house concurs in council amendment to substitute for H. J. R. No. 1.

HARRY H. DAVIS, Chief Clerk.

On motion of Greene, council went into executive session with closed doors.

Council resumed with open doors and the clerk was instructed to note upon the journal that the council in executive session had confirmed the following nominations of the governor for notaries public.

TO BE NOTARIES PUBLIC.

BEAVERHEAD COUNTY.

Robert F. Wing.....Dillon
Alvin F. Sears.....Bannack City
George B. Conway.....Dillon
Homer C. Smith.....Glendale
James Geery.....Wisdom
Phil. D McGough.....Dillon
Ozias Willis.....Willis
Robert B. Smith.....Dillon

CHOTEAU COUNTY.

Edward C. Garrett	Choteau
Horace R. Buck	Fort Benton
Mack J. Leaming	" "
Charles G. Griffith	" "
Robert A. Luke	" "
Harry B. Hill	" "
B. Leroy Powers	" "
Herbert O. Chowen	Great Falls
George E. Ingersoll	Fort Benton
John W. Fattan	" "
William H. Hunt	" "
George Westervelt	" "
Charles H. Boyle	" "
Elbert E. Bywaters	" "
Alexander C. Johnson	" "
Joseph Kipp	" "
Julian Burd	Dupuyer Creek
Herbert P. Rolfe	Fort Benton
Willis F. Parker	" "
Henry G. McIntyre	" "
Thomas L. Savage	Belknap
Max Waterman	Fort Benton
Paris Gibson	Great Falls
Philip Gibson	Great Falls

DAWSON COUNTY.

Albert L. Smith	Glendive
Warren E. Young	Newlon

DEER LODGE COUNTY.

Francis R. Bill	Deer Lodge
Frank D. Brown	Philipsburg
Henry S. Reed	Deer Lodge
Dominic H. Mellen	Stone Station
John R. Quigley	Blackfoot City

GALLATIN COUNTY.

Charles W. Frye	Cooke
Henry P. McNorton	Gardiner.
Peter Koch	Bozeman
John V. Bogert	"
Robert P. Vivion	"
George F. Shelton	"
Herbert L. Marrill	"
John A. Savage	".

John H. Elder.....Livingston
Allen R. Joy..... "
Joseph J. Davis.....Bozeman
Francis K. Armstrong..... "
John P. Martin..... "
Charles Tappan.....Cooke
John A. Chater.....Three Forks
Cha[illegible] revor Cross..... " "
Geo[illegible] ld.....Bozeman
Jacob O. Hopping.....Three Forks
James A. Smith.....Livingston
William J. Stover.....Salesville
Thomas B Quaw.....Bozeman
Madison M. Black..... "
Walter C. Allen.....Big Timber

JEFFERSON COUNTY.

George F. Cowan.....Radersburg
John H. Fisk.....Bedford
Joel M. D. Taylor.....Boulder City
Chance L. Harris.....Woodville

LEWIS AND CLARKE COUNTY.

William Wallace, jr.....Helena
John P. Dyas.....Sun River
Lewis A. Walker.....Helena
Thomas L. Martin..... "
James U. Sanders..... "
Isaac D. McCutcheon..... "
Frank P. Sterling..... "
Thomas F. Casey..... "
Richard Lockey..... "
Geo. H. Hill..... "
Edward W. Knight..... "
Lewis N. Smith..... "
Joseph O. Hudnutt..... "
Henry F. Titus..... "
Henry W. Foote..... "
Leroy V. Styles..... "
Elbert D. Weed..... "
Rudolf Von Tobel..... "
Enos H. Shaw..... "
Ashburn K. Barbour..... "
Alexander J. Steel..... "
Massena Bullard..... "

F. George Heldt.....Fort Shaw
Charles F. Abbott.....Helena
Thomas H. Carter..... "
John B. Clayberg..... "
Erastus D. Edgerton..... "
David Marks..... "
Clyde J. Tooker..... "
Edward W. Knight, Jr..... "
Cornelius Hedges..... "
William H. Hanks.....Sun River

MADISON COUNTY.

Charles H. Peck.....Red Bluff
William Hargrave.....Fish Creek
Joseph D. Kirby.....Silver Star
William Morris.....Virginia City
James E. Callaway..... " "

MISSOULA COUNTY.

Frank H. Woody.....Missoula
William J. Stephens..... "
Charles J. Best.....Thompson Falls
Augustus E. Fisher..... " "
Charles Morton.....Heron Siding
Stephen Leneaux.....Selish
Gust Moser.....Stevensville
Thomas C. Marshall.....Missoula
Abbott L. Hodge..... "
Norbury B Janriet..... "
Anderson Buker.....Stevensville
Carl P. Jones.....Corvallis
Thomas Keating.....Thompson Falls

YELLOWSTONE COUNTY.

William F. Meyer.....Park City
Lesley Bates.....Billings
Charles H. Countryman.....Stillwater
Lafayette Peavey.....Park City
Samuel H. Wilde.....Billings
Alexander Devine..... "

On motion of Mitchell, the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

NINTH DAY.

COUNCIL CHAMBER,
Helena, Montana, January 20, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of eighth day read and approved.

The following communication and accompanying report were received from the governor:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, January 20, 1885.

To the Legislative Assembly:

I have the honor herewith to transmit to the legislative assembly the report (not in duplicate) of the librarian of the miscellaneous division of the Montana library for the year 1884.

Respectfully,
B. P. CARPENTER.

OFFICE OF LIBRARIAN OF THE MONTANA LIBRARY, MISCELLANEOUS DIVISION.
Helena, M. T., December 20, 1884.

To his Excellency, B. P. Carpenter, Governor of Montana:

SIR:

As required by section 8 of an act regulating the Montana library, approved February 21, 1881, I herewith transmit a statement of the condition of the division in my charge:

Number of volumes donated in 1884,		125
Number of volumes purchased in 1884,		14
Total number of volumes in library,		2369
Amount paid out for books during 1884,	$40	
Amount paid out for newspapers during 1884,	46	
Total expenditure,		$86
Yearly appropriation,		$100
Amount remaining on hand,		$14

Respectfully submitted,
MISS LOU GUTHRIE,
Librarian.

The following reports were received:

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 10, "A bill for an act to divide the several counties into districts for the election of county commissioners," have had the same under consideration and respectfully report the same back with the recommendation that it pass.

CARDWELL, Chairman.

Mr. President:

We, your committee on elections, to whom was referred C. B. No. 6, reporting thereon, recommend that the same do not pass for the following reasons:

That the first part of section 529 thereof is already amply provided for by the statutes of the territory and in more condensed form

That the latter part of said section discriminates between voters to the prejudice of persons of foreign birth who have declared their intention to become citizens of the United States.

BUCK, Chairman.

Mr President:

The judiciary committee to which was referred that portion of the governor's message relating to the law library of Montana territory, and the report of the trustees of said library made to the governor, have considered the same and recommend an appropriation of two thousand dollars to be expended under the direction of said trustees, or those hereafter to be appointed, in completing as far as it will go the partial sets of law reports now contained in the law library.

S. DEWOLFE, Chairman.

Mr. President:

The judiciary committee to which was referred C. B. No. 7, "An act regulating inheritances," have considered the same and recommend that it do not pass.

S. DEWOLFE, Chairman.

Mr. President:

The judiciary committee to which was referred C. B. No. 2, "For amending section 55 of chapter 3 of the second division of the revised statutes," have considered the same and find that the provisions of said bill are substantially the same as the existing statutes, and therefore recommend that it do not pass.

S. DEWOLFE, Chairman.

Mr. President:

The judiciary committee to which was referred C. B. No. 11, "For amending section 188 of the first division of the revised statutes," have considered the same and recommend that the words "A referee appointed by the court," in line 7 of said bill, be stricken out and the word "judge" inserted in lieu thereof.

Also in line 9 after the word "court" insert the words "or judge."

And when so amended recommend that the act do pass.

S, DeWolfe. Chairman.

Mr. President:

The judiciary committee to which was referred that portion of the governor's message relating to the office of district attorney, recommend the passage of a law abolishing that office on the expiration of the term of the present incumbents, and the substitution in its stead of a law creating the office of county prosecuting attorneys for the several counties of the territory, with a salary fixed by law and to be paid by the several counties.

S. DeWolfe, Chairman.

Mr. President:

The committee on printing beg leave to report back C. B. No. 8 as correctly printed.

Kennedy, Chairman.

C. B. No. 10 was read a third time and passed by the following vote:

Ayes—Barrett, Cardwell, Fergus, Kennedy, Mitchell, Mr. President.—6.

Noes—Buck, Chessman, Cotant, DeWolfe, Morris.—5.

Absent—Greene.—1.

Title agreed to.

The president announced that he had signed H. J. R. No. 1 and H. J. M. No. 1.

Kennedy moved to take a recess until 2 p. m. Motion lost.

C. B. No. 7 was read third time and lost by the following vote:

Ayes—Cotant, Fergus, Kennedy,—3.

Noes—Barrett, Buck, Cardwell, Chessman, DeWolfe, Mitchell, Morris, Mr. President.—8.

Absent—Greene,—1.

C. B. No. 2 was read a third time and lost by the following vote:

Ayes—Kennedy,—1.

Noes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Mitchell, Morris, Mr. President.—10.

Absent—Greene,—1.

C. B. No. 6 was read a third time and on motion of Kennedy was recommitted to the committee on elections for the purpose of amendment.

On motion of Chessman the clerk was instructed to transmit the message received on yesterday from the governor, with the accompanying reports, to the house.

C. B. No. 8 was referred to the committee on judiciary.

On motion of Kennedy the amendments reported by the judiciary committee to C. B. No, 11 were adopted and the bill was ordered engrossed.

The following report was received:

Mr. President:

Your committee on enrollment beg leave to report H. J. R. No. 1 and H. J. M. No. 1 were presented to the governor at 11 a. m., January 20, 1885.

MITCHELL, Chairman.

On motion of Mitchell the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

The committee on joint rules reported as follows:

Mr. President:

We, your committee on joint rules beg leave to report that we have had the same under consideration and would recommend the adoption of the annexed joint rules of the council and house of the thirteenth session of the Montana legislature for the fourteenth session, with the following amendment, and as amended recommend their adoption.

MORRIS, Chairman.

In rule 14, in second line, where the word "two" occurs strike out and insert in lieu thereof the word "three."

JOINT RULES OF COUNCIL AND HOUSE, ADOPTED AT THE FOURTEENTH SESSION OF THE MONTANA LEGISLATURE.

I.

The chamber of the council and the hall of the house of representative shall be open from 8 o'clock a. m. until 11 o'clock p. m. of each day during the sessions, unless by resolution of the council its chamber, or by resolution of the house, its hall shall be closed.

II.

The presiding officer of each house, and, subject to his directions, the sergent-at-arms of each house, shall have general supervision and control of the rooms in which such house meet, and shall see that the doorkeeper and watchman thereof of each house shall be responsible for all property left therein by the government and the members respectively.

III.

The doorkeepers at all times when the rooms of the house, or either of them, shall be opened, shall be at their posts, and shall admit no person upon the floor of their houses not previleged thereto, except that during any recess a member may invite any person to the floor.

IV.

No moneys from the territorial treasury shall be expended; nor shall any indebtedness or liability of the territory be incurred by either house, except upon a concurrent or joint resolution of the two houses.

V.

The title of a bill shall briefly state its general object, and every bill shall be numbered by the clerk, and the title thereof, and the name of the member introducing the same shall be indorsed thereon.

VI.

Neither house during the session shall adjourn more than one day, nor to any other place than that in which such house shall regularly be sitting, without the consent of the other.

VII.

Messages shall be transmitted between the two houses by the chief clerk or sergeant-at-arms, or by such other officer of each house as its sense of propriety may dictate, which messages shall keep each house informed with promptness of all notices given and bills introduced, and of the general condition and state of the business of the other.

VIII.

Upon the presentation of an enrolled bill by the joint enrolling committee of the two houses to the presiding officer of one of the houses for his signature thereto, he shall rise in his place and give notice that he is about to sign the same, giving the title thereof; whereupon, if any member shall signify his desire so to do, he shall be permitted to examine the same, but no objections to the presiding officers signing the same shall be of any avail if the same conforms to the engrossed bill as it passed both houses.

IX.

The enrolling and engrossing clerks of the two houses, under the direction of the presiding officer of each house, respectively, when not engaged in enrolling or engrossing bills, shall assist the several select or standing committees.

X.

The journal of each house shall give the title and number of each bill, joint resolution or memorial; but the second and all subsequent references shall be complete when referred to by its number.

XI.

In every case of disagreement between the two houses, if either house requests a conference and appoints a committee for that purpose, the other house shall appoint a committee to confer therewith upon the subject of their disagreement. They shall meet at a convenient time, to be agreed upon by their chairman, and, having conferred freely, each shall report to their respective houses the result of their conference.

XII.

When a message shall be sent from either house to the other, it shall be announced at the door of the house to which it is sent by the doorkeeper thereof, and shall be respectfully communicated to the chair by the person by whom it is sent.

XIII.

When a bill shall have passed both houses it shall be duly enrolled by the enrolling clerk of the house in which it originated, and the fact of its origin shall be certified by the endorsment of the clerks thereof.

XIV.

When bills are enrolled they shall be examined by a joint committee of three from the council and three from the house of representatives, who shall be a standing committee for that purpose, and who shall carefully compare the enrollment with the engrossed bills as passed by the houses, correct any errors therein, and make report thereof forthwith to their respective houses.

XV.

After said report, each bill shall be signed, first by the speaker of the house of representatives and then by the president of the council, in the presence of their respective houses while in session.

XVI.

After the bill shall have thus been signed in each house, it shall be presented by said committee to the governor for his approval, and they shall forthwith report the day and hour of presentation, which shall be entered upon the journal of each house.

XVII.

All memorials to congress, or to any officer or other authority of the government, after they shall have passed both houses, shall be carefully enrolled, signed by the speaker of the house of representatives and the president of the council, and shall be transmitted by the chief clerk of the house in which they originated to the president of the senate, the speaker of the house of representatives, or to the authority memorialized, and a copy to our delegate in congress.

XVIII.

When any bill, joint resolution or memorial which shall have passed in one house is rejected in the other, notice of said rejection shall be given to the house which has passed the same.

XIX.

When a bill, resolution or memorial which shall have passed one house is rejected in the other, it shall not again be introduced during the session without five days' notice, and leave of two-thirds of the members voting thereon.

XX.

Each house shall transmit to the other, with any bill, resolution or memorial, all papers upon which the same shall be founded.

XXI.

When each house shall have adhered to their disagreement, a bill or resolution is lost.

XXII.

When any bill, memorial or resolution is ordered to be printed, a sufficient number of copies shall be printed for the use of both houses, and the quota for each house shall be delivered to its sergeant-at-arms.

XXIII.

It shall be the duty of the chief clerks of the house of reprerentatives and the council, when any document is ordered to be printed in their respective houses, forthwith to communicate such order to the other house.

XXIV.

Whenever a joint resolution or memorial shall have passed both houses of the legislative assembly, an enrolled copy thereof, duly signed by the speaker of the house of representatives and the president of the council, shall be filed in the office of the secretary of the territory by the chief clerk of the house in which the same originated.

On motion of Chessman the report was adopted.

On motion of Morris the council went into executive session with closed doors.

Council resumed with open doors and the clerk was instructed to note upon the journal that the council, in executive session, had confirmed the following nominations of the governor for notaries public:

CUSTER COUNTY.

Hiram R. Marcyes	Forsyth
William H. Ross	Miles City
Frank E. Hammond	" "
Howard B. Wiley	" "
Charles W. Seyde	" "
Emil Van Herman	Fort Custer
Arthur H. O'Connor	Miles City

MEAGHER COUNTY.

Nicholas M. Erickson	Reedsfort
Ira W. Ford	Cora Creek
George W. Morrison	Maginnis
John F. Athey	"
Agustus R. Barrows	Ubet
James E. Kanouse	Townsend
Philip I. Moule	Bercail
Patrick H. Hughes	Clendenin
George M. Hatch	Big Elk
Byron Dewitt	Townsend

SILVER BOW COUNTY.

Louis E. Danjen	Butte City
James W. Forbis	" "
Robert W. Cobban	" "
Charles S. Warren	" "
John H. Curtis	" "
William E. Davidson	" "
William O. Speer	" "
John C. Carroll	" "
George W. Stapleton	" "
Henry C. Bodly	" "
Silven Hughes	" "
William I. Lippencott	" "
Arthur Cotton Newill	" "
John Gillie	" "
Amus Purdum	Melrose
Howard B. Smith	Butte City
William Scallon	" "
Cornelius P. Drennan	" "
Thomas C. Bach	" "
Green Majors	" "
Henry S. Clark	" "
Erastus A. Nichols	" "
Caleb E. Irvine	" "
James R. Clark	" "

The following report was received:

Mr. President:

The judiciary committee to which was referred C. B. No. 4, changing the name of William Hackleman to William Cave, have considered the same, and recommend its passage as introduced.

S. DeWolfe, Chairman.

C. B. No. 4 was ordered engrossed.

Buck gave notice as follows:

Mr. President:

I hereby give notice that on to-morrow or some subsequent day I shall ask leave to introduce a bill to provide for an act to provide for the payment of one-fourth af all license taxes collected within the limits of any incorporated city in any county, to the use of such city.

On motion of Greene the council adjourned until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk.

TENTH DAY.

COUNCIL CHAMBER,
Helena, Montana, January 21, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of ninth day read and approved.

The following reports were received:

Mr. President:

Your committee on ways and means to whom was referred C. J. R. No. 1, "To provide for the printing of bills, payment for which is not provided for by the government of the United States," beg leave to report that they have had the same under consideration and respectfully report the resolution back without any recommendation.

MORRIS, Chairman.

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 11, "Amending section 118, chapter 4, first division, revised statutes of Montana," beg leave to report that they have examined the same and find it correctly engrossed.

CHESSMAN, Chairman.

C. J. R. No. 1 was ordered engrossed.

Notices of the introduction of bills were given as follows:

By Kennedy—"A bill for an act to provide for the posting of estrays in this territory."

By Fergus—"A bill for the formation of a new county."

Chessman introduced C. B. No. 14, "An act to amend an act entitled an act to incorporate the city of Helena, approved February 22, 1881," was read first and second times and referred to committee on towns and counties.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., January 20, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Potts—"A bill to amend section 280 of chapter 15, article 1 of the fifth division of the revised statutes of the territory of Montana."

Also, "A bill relating to the study of physiology and hygiene in the public schools."

By Jurgens—"A bill for the better protection of female employes in the territory of Montana."

By Robinson—"A bill concerning water rights."

By Eastman—"A bill entitled an act concerning the representation of quartz lodes."

By Hatch—"A bill for an act to amend an act relating to bounty for killing certain animals."

That the following bill was introduced:

By Tingle—H. B. No. 9, "A bill for an act concerning the levying and collection of taxes."

HARRY H. DAVIS, Chief Clerk.

C. B. No. 11 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—Greene,—1.

Title agreed to.

On motion of Mitchell the council took a recess until 2 p. m.

Two p. m. council resumed.
Mr. President in the chair.
Roll called—quorum present.

The following reports were received:

Mr. President:

Your committee on public lands beg leave to report back council joint memorial relating to reservations in Northern Pacific land deeds and contracts, with accompanying papers, and would recommend that the memorial do pass.

M. BARRETT, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 14, "An act to amend an act to incorporate the city of Helena, approved February 22, 1881" have had the same under consideration and recommend the passage of the same.

CARDWELL, Chairman.

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 4, "An act to change the name of Wm. Hackleman to Wm. Cave," also, C. J. R. No. 1, "To provide for the printing of bills, payment for which is not provided for by the government of the United States." beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on printing would respectfully report back C. B. No. 9 as correctly printed.

KENNEDY, Chairman.

On motion of Mitchell the committee on printing was instructed to have the council and joint rules of the council and house printed.

C. J. M. No. 1 and C. B. No. 14 were ordered engrossed.

Greene introduced C. B. No. 15, "An act to provide for the Billings fire department," read first and second times and referred to committee on towns and counties.

C. B. No. 9 was referred to the committee on judiciary.

The following communication was received:

HOUSE OF REPRESENTATIVES,
HELENA, MONT., Jan. 21, 1885.

Mr. President:

I am directed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Wells—"A bill entitled an act authorizing the governor to contract for the maintenance and safe keeping of territorial prisoners."

Also, "A bill entitled an act to provide for the additional penalty of hard labor of convicts in the territorial prison."

By Kohrs—"A bill to suppress and prevent the dissemination of contagious diseases among domestic animals."

By Taylor—"A bill to establish the county of Dearborn."

By Emigh—"A bill entitled an act to amend an act to amend section 48 of chapter 18 of general and miscellaneous laws of Montana, approved July 22, 1879."

That bills were introduced as follows:

By Potts—H. B. No. 10, "A bill for an act to amend section 280 of the fifth division of the revised statutes of the territory of Montana."

Also, H. B. No. 11, "A bill for an act to amend section 20 of article 7 of an act to incorporate the city of Helena."

By Forbis—H. B. No. 12, "A bill for an act creating the office of county attorney." Ordered printed.

By Jurgens—H. B. No. 13, "A bill for an act for the better protection of female employes in the territory of Montana."

HARRY H. DAVIS, Chief Clerk.

C. J. R. No. 1 was read a third time and lost by the following vote:

Ayes—Buck, Cotant, Greene, Kennedy.—4.

Noes—Barrett, Cardwell, Chessman, DeWolfe, Fergus, Mitchell, Morris, Mr. President.—8.

C. B. No. 4 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Greene, Rennedy, Mitchell, Morris, Mr. President.—11.

Noes—Fergus.—1.

Title agreed to.

On motion of Cardwell the council took a recess until 3 p. m.

Three p. m.
Council resumed.
Mr. President in the chair.
Roll called—quorum present.

On motion of Chessman the council adjounred until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk.

ELEVENTH DAY.

COUNCIL CHAMBER,
Helena, Montana, January 22, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called, quorum present.
Prayer by the chaplain.
Journal of tenth day read and approved.

The following reports were received:

Mr. President:

The judiciary committee to which was referred C. B. No. 9 to amend section 575 of the fifth division of the revised statutes, have considered the same and recommend its passage.

S. DEWOLFE, Chairman.

Mr. President:

We recommend that C. B. No. 8 be amended as follows:

Section 1. Real property shall be attached by filing with the recorder of the county a copy of the writ, together with a description of the property attached, and a notice that it is attached.

Section 2. Real property or any interest therein belonging to the defendant, and standing upon the records of the county in the name of any other person, shall be attached by filing with the

recorder of the county a copy of the writ together with a description of the property, and a notice that such real property and any interest of the defendent therein standing in the name of such other person (naming him) are attached.

S. DEWOLFE, Chairman Judiciary Committee.

On motion of Mitchell the amendments to C. B. No. 8 were adopted and the bill ordered engrossed.

C. B. No. 9 was ordered engrossed.

Buck introduced C. B. No. 16, "An act to provide for the payment of one-fourth of all license tax collected within the limits of any incorporated city in any county to the use of such city."

Read first and second times and referred to committee on ways and means.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., January 21, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that H. J. R's Nos. 4 and 5 have passed and are herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

H. J. R. No. 5, "For the relief of Fisk Bros., Helena," was read first and second times and referred to committee on ways and means.

H. J. R. No. 4, "In relation to cattle diseases and National cattle trail," was read first and second times and referred to committee on grazing and stock growing.

The president announced that he had signed H. J. R's Nos. 2 and 3.

On motion of Mitchell the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

The following reports were received:

Mr. President:

Your committee on towns and counties to whom was referred

C. B. No. 15, "An act to provide for the Billings fire department," have had the same under consideration and recommend the passage of the same with the accompanying amendment.

CARDWELL, Chairman.

Amend section 4 so as to read as follows:

This tax shall be known as the Billings fire tax and shall be paid by the county treasurer to the order of the treasurer of the Billings fire department, as audited by the county commissioners, and shall become due.

Mr. President:

Your committee on grazing and stock growing to whom was referred H. J. R. No, 4 have had the same under consideration and report the same back with the recommendation that it do pass.

COTANT, Chairman.

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 14, "An act to amend an act entitled an act to incorporate the city of Helena, approved February 22, 1881," beg leave to report the same correctly engrossed.

CHESSMAN, Chairman.

On motion of Cardwell the rules were suspended and H. J. R. No. 4 was placed on file for third reading.

On motion of Mitchell the amendments reported by the committee on towns and counties to C. B. No. 15 were adopted and the bill was ordered engrossed.

Notices of the introduction of bills were given as follows:

By Cotant—"A bill for an act to provide for assignments for the benefit of creditors." Also,

"An act creating the office of county attorney and fixing the salary thereof."

By Greene—"A bill entitled an act to amend section 77, chapter 6 of the code of civil procedure." Also,

"A bill entitled an act in relation to taxation of telegraph lines."

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 22, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Forbis—"A bill for an act to suppress gambling."

By Potts—"A bill for an act to punish certain offenses therein named."

Also, "A bill for an act limiting the compensation of certain officers therein named."

By Seligman—"A bill for an act to organize and regulate the militia."

By Jurgens—"A bill for an act to prevent double taxation."

By Fisk—"A bill for an act regulating the fees of witnesses and jurors at coroners' inquests."

That bills were introduced as follows:

By Potts—H. B. No. 14, "A bill for an act relating to the study of physiology and hygiene in the public schools."

By Robinson—H. B. No. 15, "A bill for an act relative to water rights."

By Eastman—H. B. No. 16, "A bill for an act concerning the representation of quartz lodes."

By Wells—H. B. No. 17, "A bill for an act to provide for the penalty of hard labor of convicts in the territorial prison."

By Seligman—H. B. No. 18, "An act concerning competition in trade."

That Mr. Potts introduced H. J. R. No. 6, "To compensate Chas. H. Snell for certain services rendered."

That C. B. No. 4 has passed and is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

C. B. No. 4 was ordered enrolled.

H. J. R. No. 4 was read a third time and passed by the following vote:

Ayes—Barrett, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Mr. President.—10.

Noes—None.

Absent—Buck, Morris.—2.

Title agreed to.

C. B. No. 14 was read a third time and passed by the following vote:

Ayes—Barrett, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Mr. President.—10.

Noes—None.

Absent—Buck, Morris.—2.

Title agreed to.

On motion of Mitchell the council adjourned until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk.

TWELFTH DAY.

COUNCIL CHAMBER,
Helena, M. T., January 23, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of the eleventh day read and approved.

The following reports were received:

Mr. President:

Your joint committee on enrollment beg leave to report that H. J. R. No. 2 and H. J. R. No. 3 were presented to the governor at 2:45 p. m. January 22d, 1885.

MITCHELL, Chairman.

Mr. President:

Your committee o enrollment beg leave to report the C. B. No. 4 is correctly enrolled.

MITCHELL, Chairman.

Mr. President:

Your committee on engrossment, to whom was referred C. J. R. No. 1, "Relating to N. P. R. R. lands, deeds and contracts;" also, C. B. No. 8, "An act entitled and act to amend chapter four of the code of civil procedure," also C. B. No. 9, "An act to ament section 575 of the fifth division of the revised statutes," beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Chessman gave notice as follows.

Mr. President:

I hereby give notice that I will on to-morrow or some subequent day, ask leave to introduce a bill for an act to amend article 1 of chapter 8 of the fifth division of the revised statutes, fixing the bonds of district clerks.

Bills were introduced as follows:

By Greene—C. B. No. 17, "An act in relation to taxation of telegraph lines,"

Also, C. B. No. 18, "An act to amend section 77 of chapter 6 of the code of criminal procedure."

C. B. No. 17 was read first and second times and referred to committee on ways and means.

C B. No. 18 was read first and second times and referred to committee on judiciary.

C. J. M. No. 1 was read a third time and on motion of Greene the rules were suspended and the memorial was recommitted to the committee on judiciary.

C. B. No. 9 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—11.

Noes—Kennedy.—1.

Title agreed to.

C. B. No. 8 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

On motion of Mitchell the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

The following reports were received:

Mr. President:

Your committee on judiciary is in accordance with H. J. R. No. "Providing for the employment of committee clerks," did on January 19th, A. D. 1885 employ J. W. Kemper, all of which is respectfully submitted.

S. DeWolfe, Chairman.

Mr. President:

Your committee of ways and means in accordance with H. J. R. No. 1 providing for the employment of committee clerks," did on January 19th, 1885 employ Hayden E. Riddle, all of which is respectfully submitted.

Morris, Chairman.

Mr. President:

Your committee on engrossment, to whom was referred C. B. No. 15, "An act to provide for the Billings Fire Department," beg leave to report that they have examined the same and find it correctly engrossed.

Chessman, Chairman.

Mr. President:

Your committee on ways and means, to whom was referred, H. J. R. No. 5 for the relief of Fisk Bros., have had the same under consideration and beg leave to report it back without any recommendation.

Morris, Chairman.

H. J. R. No. 5 was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Mitchell, Morris, Mr. President.—9.

Noes—Barrett, DeWolfe, Kennedy.—3.

Title agreed to.

C. B. No. 15 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

On motion of Kennedy the Council adjourned until 10 o'clock a. m. -morrow.

David Marks, Chief Clerk.

THIRTEENTH DAY.

COUNCIL CHAMBER,
Helena, M. T., January 24, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of twelfth day read and approved.

On motion of Morris, Mitchell was excused for the day.

The following report was received:

Mr. President:

The committee on the judiciary to which was referred C. B. No. 18, to amend section 77 of the third division of the revised statutes, have considered the same and with the following amendments recommend its passage:

First. In line 13 strike out the words "within his jurisdiction."

Second. Strike out all the words in lines 17 and 18, and the words "same and" in line 19.

Third. Srike out the word "and" in line 25.

Fourth. Strike out the words "nearest and most accessible" in line 6, page 2 of the bill, and in lieu insert the words "some other."

Fifth. Strike out all of section 1 after the word "law" in line 8, page 2 of said bill.

S. DEWOLFE, Chairman.

On motion of DeWolfe the amendments were adopted and the bill was ordered engrossed.

Bills were iutroduced as follows:

By Chessman—C. B. No. 19, "An act relative to bonds of clerks of courts"

Read first and second times and referred to committee on judiciary.

By Cotant—C. B. No. 20, "An act creating the office of county attorney and fixing the salary thereof."

Read first and second times and referred to judiciary committee.

Also, C. B. No. 21, "An act to provide for assignments for the benefit of creditors."

Read first and second times and referred to judiciary committee.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 23, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Forbis—"A bill for an act regulating assessment life insurance companies."

By Fisk—"A bill for an act to amend an act entitled an act concerning the fees of jurors in civil cases, approved February 21, 1881."

Also, "A bill for an act to amend section 387 of the fifth division of the revised statutes, relating to the duties of county clerks."

That bills were introduced as follows:

By Page—H. B No. 19, "A bill for an act to amend an act concerning fences, approved Feb. 23, 1881."

By Seligman—H. B. No. 20, "An act to organize and regulate the militia."

By Jurgens—H. B. No. 21, "A bill for an act to prevent double taxation."

By Emigh—H. B. No. 22, "An act to amend an act to amend section 48, chapter 18 of general and miscellaneous laws of Montana."

By Forbis—H. B. No. 23, "A bill for act act to suppress gambling."

By Fisk—H. B. No. 24, "A bill for an act regulating the fees of witnesses and jurors at coroners' inquests."

That C. B. No. 11 was lost and is herewith transmitted.

HARRY H. DAVIS, Chief Clerk

On motion of Greene the council adjourned until 10 o'clock a. m. on Monday next.

DAVID MARKS, Chief Clerk.

FIFTEENTH DAY.

COUNCIL CHAMBER,
Helena, Montana, January 26, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.

The president being absent, on motion of Greene, Mitchell was elected president *pro tem.*

Roll called—quorum present.

Prayer by the chaplain.

Journal of thirteenth day read and approved.

On motion of Greene president Armstrong was excused for the day.

The following reports were received:

Mr. President:

Your committee on engrossment, to whom was referred C. B. No. 18—"An act to amend section 77 of chapter 6 of the Code of Criminal Procedure"—beg leave to report that they have examined the same and find it correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on printing beg leave to report that we find the rules of the Council and the joint rules of the Council and House of Representatives correctly printed.

KENNEDY, Chairman.

Notices of the introduction of bills were given as follows:

By Greene—"A bill to amend section 342 of the general laws, 5th division of the revised statutes."

By Buck—"A bill for an act to amend the city charter of Fort Benton."

By Kennedy—"A bill for an act abolishing the office of District Attorney, and providing for the appointment and election of prosecutiag attorneys in and for each county."

C. B. No. 18 was read a third time, and on motion of DeWolfe the bill was recommitted to the committee of the whole.

The council resolved itself into committee of the whole for the consideration of C. B. No. 18.

DeWolfe in the chair.

Council resumed.

Mr. President *pro tem* in the chair.

The following communication was received:

HOUSE OF REPRESENTATIVES.
Helena, Montana, January 24, 1885,

Mr. President:

I am instructed by the house to inform your honorable body that Norton gave notice of the introduction of "A bill for an act to protect county treasurers."

That Potts introduced H. B. No. 25, "A bill for an act limiting the compensation of certain officers therein named."

C. B. No. 14 was passed and is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

C. B. No. 14 was ordered enrolled.

The following report was received:

Mr. President:

The committee of the whole, to which was referred C. B. No. 18, have had the same under consideration and recommend the following amendments:

1st—Strike out the words "and approval" in section 2, of the bill.

2d—Amend the title of the bill so as to read "An act to amend section 77 of chapter 6 of the criminal practice act of the revised statutes of Montana," and as so amended do recommend its passage.

S. DEWOLFE, Chairman.

On motion of Chessman the amendments were adopted, and the bill was ordered engrossed.

On motion of Greene the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President *pro tem* in the chair.
Roll called—quorum present.

The following reports were received:

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 18, "An act to amend section 77 of chapter 6 of the criminal practice act of the revised statutes of Montana," beg leave to report the same correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on towns and counties, to whom was referred C. B. No. 13—"An act to amend an act to protect game fur bearing animals and fish, approved March 8th, 1883"—have had the same under consideration and report the bill back with accompanying amendments, and recommend the passage of the same as amended.

CARDWELL, Chairman.

Amend section 5 so as to read as follows:

That any person or persons who shall shoot or kill, or cause to be killed, any grouse, prairie chicken, pheasant, sage hen, fool hen, partridge or quail, between the first day of January and the first day of September of each year, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten dollars nor more than twenty-five dollars; and all persons are hereby prohibited at all times from killing any of the birds described in this section for speculative purposes, or for market, or for sale, and any person or persons who shall hereafter kill for speculative purposes or for sale, any of the kinds named in this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten dollars, nor more than twenty-five dollars, for each offense committed.

That section ten be amended to read as follows:

That a fishing tackle consisting of a rod or pole line and hook, or spear, shall be the only lawful way that fish can be taken in any of the streams, lakes or ponds of this territory. It shall however be lawful to use a seine in the Missouri river below the Three Forks, and the Yellowstone river below the mouth of Clark's Fork. That said hook shall not be baited with any poisonous drug or substance, and that it shall be unlawful for any person or persons to make any dams, or use any fish traps, seines or similar means for catching fish, or to use any drugs or poison or giant powder or other explosive compound intending to catch, kill or destroy fish of any species. Provided, that it shall not be unlawful to use a seine or net for the purpose of taking fish to transplant into, or stock other streams, lakes or ponds, or for the purpose of taking minnows or small fish for bait for hook, and any person or persons, company or corporation offending against this section, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not less than fifty dollars, nor more that two hundred and fifty dollars, and shall be imprisoned for a period not less than thiry days nor more than six months and shall pay the costs of prosecutions.

On motion of Cardwell the amendments were adopted and C. B. No. 13 was ordered engrossed.

Buck gave notice as follows:

Mr. President:

I hereby give notice that to-morrow or some future day, I shall ask leave to introduce a bill for an act to amend an act entitled an act concerning chattel mortgages, approved February 19th' 1881.

C. B. No. 18 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, DeWolfe, Fergus, Kennedy, Mitchell.—8.

Noes—None.

Absent—Cotant, Greene, Morris, Mr. President.—4.

Title agreed to.

On motion of Chessman, the council adjourned until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk.

SIXTEENTH DAY.

COUNCIL CHAMBER,
Helena, Montana, January 27, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President *pro tem.* in the chair.
Roll called—quorum present.
Absent, Mr. President.
Prayer by the chaplain.
Journal of fifteenth day read and approved.

The following reports were received:

Mr. President:

Your committee on enrollment beg leave to report C. B. No. 14 correctly enrolled.

MITCHELL, Chairman.

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 13, "An act to amend an act to protect game, fur-bearing animals and fish, approved March 8, 1883," beg leave to report the same correctly engrossed.

CHESSMAN, Chairman.

Bills were introduced as follows:

By Greene—C. B. No. 22, "A bill for an act to amend section 342 of the fifth division of the general laws."

Read first and second times and referred to committee on judiciary.

By Kennedy—C. B. No. 23, "An act abolishing the office of district attorney and providing for the appointment and election of prosecuting attorneys in and for each county."

Read first and second times and referred to judiciary committee.

On motion of DeWolfe the following C. C. R. was adopted:

Resolved by the legislative council, the house of representatives concurring, that the secretary of the territory be and he is hereby requested to furnish to each branch of the legislature one committee room for the use of the committees of the two houses.

The following communication was received:

HOUSE OF REPRESENTATIVES,
HELENA, MONT., Jan. 26, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that of bills were introduced as follows:

By Forbis—H. B. No. 26, "A bill for an act regulating assessment life insurance companies."

By Norton—H. B. No. 27, "A bill for an act to protect county treasurers."

Mr. Seligman introduced H. J. M. No. 2, "In relation to the Montana penitentiary."

C. B. No. 15 and H. J. R. No. 6 have passed and are herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

C. B. No. 15 was ordered enrolled.

H. J. R. No. 6, "To compensate Chas. H. Snell for certain services rendered," was read first and second times and referred to committee on ways and means.

C. B. No. 13 was read a third time and on motion of Chessman the rules were suspended and the bill was recommitted to the committee on towns and counties.

On motion of Greene C. B. No. 17 was withdrawn from the committee on ways and means and returned to him for the purpose of making changes in the bill.

On motion of Kennedy the council adjourned until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk.

SEVENTEENTH DAY.

COUNCIL CHAMBER,
Helena, Montana, January 28, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of sixteenth day read and approved.

The following reports were received:

Mr. President:

The judiciary committee to which was referred, C. J. M. No. 1, have considered the same and now report it back without recommendation.

S. DEWOLFE, Chairman.

Mr. President:

The judiciary committee to which was referred C. B. No. 19, have had the same under consideration and recommend the following amendments:

First. In line 24 section 1, strike out the word "five."

Second. In line 2 page 2 of section 1, strike out the word "hundred" and insert instead the word "thousand."

Third. Add an additional section as follows:

Section 4. This act shall take effect and be in force from and after its passage.

S. DEWOLFE, Chairman.

On motion of Chessman the ammendments to C. B. No. 19, were adopted and the bill was ordered engrossed.

Notices of the introduction of bills were given as follows:

By Buck—"A bill for an act to amend chapter 4 and chapter 4 of title ten of the code of civil procedure."

By Chessman—"A bill for the relief of George P. Reeves & Co."

By Kennedy—"A bill for an act to amend an act entitled an act in relation to the fees of county clerks."

By Greene—"A bill for an act entitled an act to established a series of text books for the public schools." approved February 23d, 1881."

The following report was received:

Mr. President:

Your committee on enrollment beg leave to report that C. B. No. 15 is correctly enrolled.

MITCHELL, Chairman.

Bills were introduced as follows:

By Kennedy—C. B. No. 24, "An act to provide for the posting of estrays in this territory," read first and second times and referred to the committee on grazing and stock growing.

By Buck—C. B. No. 25, "An act entitled an act to amend an act concerning chattel mortgages, approved February 19th, 1881," read first and second times and referred to committee on judiciary.

On motion of Kennedy, C. J. M. No. 1 was placed upon the general orders for consideration of the committee of the whole.

Mitchell introduced the following resolution, which upon motion of Morris was adopted.

Resolved, that the following rule be added to the regular rules of the council of the fourteenth session:

No. 56—"All bills joint resolutions and memorials, which shall be referred to a standing committee, except the committee on engrossment, enrollment or printing, and thereafter be reported back by such committee, unless otherwise ordered, shall be placed on the general orders for consideration in committee of the whole."

The following communication and accompanying resolutions were received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., January 27, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Robinson—"A bill to amend section 1193 of the fifth division, revised statutes of Montana."

By Fisk—"A bill for an act to amend an act entitled an act to authorize school trustees to issue bonds to build or provide school houses."

That Messrs. Forbis and Tingle, each introduced a resolution, which were adopted, copies of which are herewith transmitted.

The Speaker has signed H. J. R's Nos. 4 and 5.

HARRY H. DAVIS, Chief Clerk.

Be it resolved by the house of representatives, the council concurring.

First. That the standing committees of ways and means of the council and house of representatives are hereby constituted a joint committee of ways and means for this legislative assembly.

Second. That in order to facilitate the legislation of this legislative assembly, said joint committee be increased by the addition of three members of the house and two members of the council to be appointed by the presiding officer of each house respectively.

Third. That said joint committee shall at its first meeting, elect one of their number chairman, who shall without delay introduce into the house of which he is a member, any bill or resolution that may be agreed upon and recommended by a majority of such joint committee.

Fourth. It shall be the duty of such joint committee to thoroughly revise all laws of this territory relating to revenue and taxation, to amend the same or recommend other laws in lieu therof; also to readjust and equalize, as nearly as may be, upon a fair and equitable basis the, fees and salaries of all county officers of this territory, and that said joint committee report their action in the premises, by bill or otherwise at the earliest practicable day.

Mr. Speaker announced as such committee on the part of the house, Messrs. Fisk, Eastman and Holt.

Resolved by the house of representatives, the council concurring.

That a joint committee composed of five members of the house, and three from the council, be and are hereby appointed to proceed to the penitentiary and asylum for the insane, and make a thorough examination of the manner of conducting said institutions, together with the capacity and needs of the buildings to comfortably care for the inmates, and report to the legislative assembly the result of their investigations, together with such recommendations as they may deem necessary, by bill or otherwise.

Mr. Speaker announced as such committee on the part of the house, Messrs. Page, Tingle, Taylor, Emigh and Speer.

On motion of Mitchell the resolution relative to a joint committee on ways and means, was adopted.

On motion of Kennedy the resolution relative to the appointment of a joint committee to visit the penitentiary and territorial insane asylum, was adopted.

On motion of Chessman the council resolved itself into a committee of the whole for the consideration of general orders.

Chessman in the chair.

Council resumed.

Mr. President in the chair.

The president announced the signing of H. J. R's Nos. 4 and 5.

On motion of Kennedy the rules were suspended, C. B. No. 1, was recalled and returned to its author.

The following report was received:

Mr. President:

Your committee on ways and means to whom was referred, H. J. R. No. 6, to compensate Chas. H. Snell, for certain servicee rendered, have had the same under consideration and beg leave to report it back without any recommendations.

MORRIS Chairman.

On motion of Mitchell the council adjourned until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk.

EIGHTEENTH DAY.

COUNCIL CHAMBER,
Helena, Montana, January 29, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called, quorum present.
Prayer by the chaplain.

Journal of seventeenth day read and approved.

The following report was received:

Mr. President:

Your committee of the whole, to whom was referred C. J. M. No. 1, "Relating to N. P. R. R. lands, deeds and contracts," beg leave to report that they have had the same under consideration and have instructed me to report the memorial back with a substitute, with the recommendation that the substitute do pass.

CHESSMAN, Chairman.

Notices were given as follows:

By DeWolfe—"A bill to amend section 342 of the fifth division of the revised statutes;" also—

"A bill in reference to filing mortgages;" also—

"A bill to amend section 179 and 180 of the code of civil procedure."

The president announced that he had signed C. B. Nos. 4 and 14.

Buck introduced C. B. No. 26, "An act to amend chapter 4 of chapter 4 of the code of civil procedure."

Read first and second times and referred to committee on judiciary.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 28th, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that the following bills were introduced:

By Wells—H. B. No. 28, "An act authorizing the governor to contract for keeping and maintenance of prisoners.

By Robinson—H. B. No. 29, "An act to amend sections 1193 and 1194, fifth division revised statutes of Montana."

By Fisk—H. B. No. 30, "An act to amend an act entitled an act to authorize school trustees to issue bonds to build or provide school houses;" also—

H. B. No. 31—"A bill for an act to amend an act concerning the fees of jurors in civil cases, approved February 21, 1881;" also—

H. B. No. 32, "A bill for an act to amend section 387 of the revised statutes, relating to the duties of county clerks."

That C. B. No. 18 has passed the house, and the same is herewith transmitted.

Mr. Speaker has signed C. B's Nos. 4 and 14.

That the house has concurred in the C. C. R. offered by DeWolfe, requesting the secretary of the territory to furnish to each branch of the legislature one committee room for the use of the committees of the two houses.

HARRY H. DAVIS, Chief Clerk.

C. B. No. 18 was ordered enrolled.

The council resolved itself into committee of the whole for the consideration of general orders.

Morris in the chair.

Council resumed.

Mr. President in the chair.

The president announced, that in accordance with house joint resolution in reference to joint committee on ways and means, the appointment of Messrs. Barrett and Cotant.

The president announced, that in accordance with house joint resolution in reference to appointment of a committee to visit and inspect the penitentiary and territorial insane asylum, the appointment of Greene, Buck and Kennedy on the part of the Council.

On motion of Cardwell the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

NINETEENTH DAY.

COUNCIL CHAMBER,
Helena, Montana, January 30, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Absent—Buck, Greene, Kennedy, Mitchell.
Prayer by the chaplain.
Journal of eighteenth day read and approved.

The following reports were received:

Mr President:

Your committee on engrossment to whom was referred C. B. No. 19, "An act relative to bonds of clerks of courts," beg leave to report the same correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

The judiciary committee to which was referred C. B's Nos. 5 and 21, relating to assignments for the benefit of creditors, have had said bills under consideration and now return the same with a substitute bill and recommend its passage.

S. DEWOLFE, Chairman.

On motion of DeWolfe the substitute was ordered printed and made a special order for the committee of the whole on Monday next at 11 a. m.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT.
Helena, Jan. 30, 1885.

To the Council:

I have the honor to inform the council that I have this day signed C. B. No. 4, entitled "An act to change the name of James William Hackleman to William Cave."

Also C. B. No. 14, entitled "An act to amend an act entitled an act to incorporate the city of Helena, approved February 22, 1881."

Very Respectfully,
B. P. CARPENTER.

The following report was received:

Mr. President:

Your committe of the whole to whom was referred H. J. R. No. 6, to compensate Chas. H. Snell for certain services rendered, have instructed me to report the same back with the recommendation that it do pass.

MORRIS, Chairman.

Bills were introduced as follows:

By Fergus—C. B. No. 27, "An act to create the county of Judith and for the election of officers thereof."

Read first and second times and referred to committee on towns and counties.

By DeWolfe—C. B. No. 28, "An act concerning the filing of mortgages."

Read first and second times and referred to the committee on judiciary.

Also, C. B. No. 29, "An act to amend sections 179, 180 and 202 of chapter 4 of the code of civil procedure,"

Read first and second times and referred to the committee on judiciary.

Also, C. B. No. 30, "An act to amend section 342 of fifth division of the revised statutes."

Read first and second times and referred to the committee on judiciary.

Chessman introduced C. J. R. No. 2, "To pay for marks and brands."

Read first and second times and referred to committee on ways and means.

The following communication was received:

HOUSE OF REPRESENTATIVES,
HELENA, M. T., January 29th, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Holt—"A bill for an act appointing stock detectives and inspectors and levying a tax upon live stock for certain purposes."

By Biddle—"A bill for an act to amend sections 179, 181, 198 and 202 of the first division, code of civil procedure, revised statutes of Montana, relating to attachments."

By Kohrs—"A bill for an act to authorize the school trustees of district No. 1, Deer Lodge county, to issue bonds for certain purposes."

By Tingle—"A bill for an act relating to the apportionment for publication of delinquent taxes."

By Hatch—"A bill for an act to amend section 644, chapter 26, fifth division of the revised statutes, relating to game."

By Wells—"A bill entitled an act to amend section 504, chapter, 19, revised statutes of Montana, relating to the education of deaf dumb and blind children."

Bills were introduced as follows:

By Emigh—H. B. No. 33, "A bill for an act to create the county of Bitter Root."

By Fisk—H. B. No. 34, "A bill for an act to create the county of Valley."

Substitute for H. B. No. 24 and H. B. No. 29 have passed the house and are herewith transmitted.

Mr. Speaker announced the signing of C. B. No. 15.

HARRY H. DAVIS, Chief Clerk.

H. B. No. 29, "A bill for an act to amend sections 1193 and 1194 of the fifth division, revised statutes of Montana," was read first and second times and referred to the committee on towns and counties.

Substitute for H. B. No. 24, "An act to amend section 420 of the fifth division of the revised statutes of Montana territory of 1879," was read first and second times and referred to committee on ways and means.

H. J. R. No. 6 was read a third time and passed by the following vote:

Ayes—Barrett, Cardwell, Chessman, Cotant, DeWolfe, Morris, Mr. President.—7.

Noes—Fergus,—1.

Absent—Buck, Greene, Kennedy, Mitchell,—4.

Title agreed to.

C. B. No. 19 was read a third time and passed by the following vote:

Ayes—Barrett, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Morris, Mr. President.—8.

Noes—None.

Absent—Buck, Greene, Kennedy, Mitchell,—4.

Title agreed to.

The president announced that he had signed C. B. No. 15.

On motion of Cardwell, Buck, Greene, Kennedy, and Mitchell were excused until next Monday morning.

On motion of Chessman the council adjounred until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

TWENTIETH DAY.

COUNCIL CHAMBER,
Helena, Montana, January 31, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Absent—Buck, Greene, Kennedy, Mitchell.
Prayer by the chaplain.

The following report was received:

Mr. President:

Your joint committee on enrollment beg leave to report that C. B. No. 15 was presented to the governor for his approval at 3:10 p. m., Jan. 30, 1884.

M. BARRETT

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, January 31, 1885.

To the Legislative Assembly:

I have the honor herewith to transmit to the legislative assembly the annual reports of the territorial auditor of public accounts, and of the territorial treasurer for the years 1883 and 1884.

Very Respectfully,
B. P. CARPENTER.

Chessman gave notice as follows:

Mr. President:

I hereby give notice that I will on to-morrow or some subsequent day ask leave to introduce a bill to amend section 1072 of the fifth division of the revised statutes.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 30, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Wells—"A bill entitled an act relating to marriage."

By Biddle—"A bill for an act to authorize the appointment of foreign executors and administrators in certain cases."

By Jurgens—"A bill for an act entitled an act concerning witnesses."

Bills were introduced as follows:

By Biddle—H. B. No. 35, "A bill for an act to amend sections 179, 181, 198, and 202 of the first division, code of civil procedure, revised statutes of Montana, relating to atachments."

By Kohrs—H. B. No. 36, "A bill for an act to authorize the school trustees of district No. 1, Deer Lodge county, to issue bonds for certain purposes."

By Eastman—H. B. No. 37, "A bill for an act to create the county of Pen d'Oreille."

By Wells—H. B. No. 38, "A bill for an act to amend section 504, chapter 19, revised statutes of Montana, relating to the education of deaf, dumb and blind children."

HARRY H. DAVIS, Chief Clerk.

On motion of Chessman the council adjourned until 10 a m. Monday next.

DAVID MARKS, Chief Clerk.

TWENTY-SECOND DAY.

COUNCIL CHAMBER,
Helena, Montana, Feb. 2, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of twentieth day read and approved.

The following reports were received:

Mr. President:

Your joint committee on enrollment beg leave to report that C. B's Nos. 4 and 14 were presented to the governor at 11 o'clock a. m. on January 29, 1885.

MITCHELL, Chairman.

Mr. President:

Your committee on enrollment beg leave to report C. B. No. 18 correctly enrolled.

MITCHELL, Chairman.

Armstrong presented the following notice:

Mr. President:

I hereby give notice that to-morrow or some subsequent day I shall ask leave to introduce a bill to amend section 155 of chapter 2 of the first division of the revised statutes.

Also, a bill to amend section 1219 of chapter 67 of the fifth division of the revised statutes.

Also, a bill to amend the second subdivision of section 211 of chapter 19 of the third division of the revised statutes.

Also, a bill authorizing the county commissioners of the several counties to pay a bounty for scalps of certain animals killed in their respective counties.

Chessman introduced C. B. No. 31, "An act to amend section 1072 of the fifth division of the revised statutes."

Read first and second times and referred to the committee on roads and highways.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., January 31, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Seligman—"A bill for an act concerning private corporations."

By Nichols—"A bill regulating the selling or furnishing of spirituous or malt liquors."

By Forbis—"A bill providing for the transfer of certain records relating to the Butte town-site."

That the following bills were introduced:

By Jurgens—H. B. No. 39, "An act concerning witnesses."

By Biddle—H. B. No. 40, "A bill for an act to authorize the appointment of foreign executors and administrators in certain cases."

That H. B. No. 22 has passed the house and the same is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

H. B. No. 22, "An act to amend an act entitled an act to amend section 48, chapter 18 of the general and miscellaneous laws of Montana, approved July 22, 1879," was read first and second times and referred to committee on roads and highways.

On motion of DeWolfe the consideration of substitute for C. B's Nos. 5 and 21, as a special order at 11 a. m. to-day, was made a special order for 11 a. m. to-morrow.

On motion of Mitchell the council adjourned until 10 a. m. to-morrow.

DAVID MARKS, Chief Clerk.

TWENTY-THIRD DAY.

COUNCIL CHAMBER,
Helena, M. T., Feb. 3, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of twenty-second day read and approved.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, February 3, 1885.

To the Council:

I have the honor to inform the legislative council that I have this day signed C. B. No. 15, entitled "An act to provide for the Billings fire department."

Very respectfully,
B. P. CARPENTER.

The following reports were received:

Mr. President:

The judiciary committee to which was referred C. B. No. 25, recommend its passage as introduced.

S. DEWOLFE, Chairman.

Mr. President:

Your committee on engrossment to whom was referred substitute for C. J. M. No. 1, "Relating to N. P. R. R. lands, deeds, and contracts," beg leave to report that they have examined the same and find it correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

The judiciary committee to which was referred C. B's Nos. 22 and 30, to amend section 342 of the fifth division of the revised statutes, have considered the same and recommend the following amendments to C. B. No. 30, and when so amended recommend that it be passed:

First. Strike out all after the word "bound" in section 1, line 22, down to and including the word "treasurer" in line 16, page 2 of said section, and insert instead the following:

The county commissioners shall cause to be issued to the judgment creditor an order on the county treasurer for the amount of such judgment and costs, and interest to the date of the warrant, such order to draw like interest after registration and be subject in all respects to like conditions, as to payment, as are other county orders.

S. DeWolfe, Chairman.

Mr. President:

The judiciary to which was referred C. B. No. 28, "An act concerning the filing of mortages," recommend the following amendments:

First. Strike out all of section 1 after the word "situated" in line 16, and insert instead the following:

Five days shall be allowed for filing mortgages, exclusive of the day of execution, where the mortgage is executed in the county in which it is filed. In all other cases ten days shall be allowed exclusive of the day of execution."

Second. Strike out all of section 2.

Third. Number section 3 section 2.

S. DeWolfe, Chairman.

On motion of Morris the amendments reported by the judiciary committee to C. B. No. 30 were adopted.

On motion of Kennedy the amendments reported by the judiciary committee to C. B. No. 28 were adopted.

C. B's Nos. 25, 28, 22 and 30 were placed upon the general orders for consideration of the committee of the whole.

Notices were given as follows:

By Greene—"A bill entitled an act to incorporate the town of Billings."

By Kennedy—"A bill to amend an act to provide for municipal corporations in the territory of Montana, approved February 17, 1881."

Bills were introduced as follows:

By Greene—C. B. No. 32, "In relation to taxation of telegraph and telephone lines."

Read first and second times and referred to committee on ways and means.

By Armstrong—C. B. No. 33, "An act to amend section 1219 of chapter 67 of the fifth division of the revised statutes."

Read first and second times and referred to the committee on incorporations.

Also, C. B. No. 34, "An act to amend section 155 of chapter 2 of the first division of the revised statutes."

Read first and second times and referred to the committee on judiciary.

Also, C. B. No. 35, "An act concerning bounty for killing certain animals."

Read first and second times and referred to the committee on agriculture.

Also, C. B. No. 36, "An act to amend the second subdivision of section 211 of chapter 19 of the third division of the revised statutes."

Read first and second times and referred to the committee on judiciary.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 2, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Taylor—"A bill to prohibit persons from hunting or shooting within the enclosures of others without leave."

By Wells—"An act to provide the public schools of Montana with certain books."

By Eastman—"An act to amend section 4 of an act concerning chattel mortgages, approved February 19, 1881."

By Potts—"A bill for an act to amend an act to regulate the fees of sheriffs for board of prisoners, approved February 10, 1881."

By Potts—"A bill for an act to amend section 89, article 2, fifth division, revised statutes of the territory of Montana, and for other purposes."

By Biddle—"A bill for an act to amend sections 89 and 92 of the first division, code of civil procedure, revised statutes of Montana."

That bills were introduced as follows:

By Seligman—H. B. No. 41, "An act concerning private corporations."

By Forbis—H. B. No. 42, "A bill for an act providing for the transfer of certain records relating to the Butte town-site."

By Nichols—H. B. No. 43, "A bill regulating the furnishing or selling of spirituous or malt liquors."

By Tingle—H. B. No. 44, "A bill for an act relating to the apportionment of the amount collected for the publication of delinquent taxes."

Mr. Speaker announced the signing of C. B. No. 18.

Substitute for H. B. No. 32 has passed the house and the same is herewith transmitted.

That C. B. No. 10 was indefinitely postponed, and the same is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

Substitute for H. B. No. 32, "A bill for an act to amend section 387 of the fifth division of the revised statutes, relating to the duties of county clerks," was read first and second times and referred to the committee on towns and counties.

C. J. M. No. 1 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—DeWolfe,—1.

Title agreed to.

On motion of DeWolfe the consideration of substitute for C. B's Nos. 5 and 21, which was made a special order for 11 a. m. to-day, was postponed until 11 a. m. to-morrow.

The council resolved itself into a committee of the whole for the consideration of general orders.

Chessman in the chair.

Council resumed.
Mr. President in the chair.

On motion of Greene, council went into executive session with closed doors.

Council resumed with open doors and the clerk was instructed to note upon the journal that the council, in executive session, had confirmed the following nominations of the governor for notaries public.

CHOTEAU COUNTY.

Mack J. Leaming	Fort Benton
Oswald C. Mortson	Sand Coulee
Ferdinand C. Roosevelt	Fort Benton
John F. Murphy	"
John J. Donnelly	"
George W. Crane	"
David G. Browne	"
Julian F. Burd	Dupuyer
Lewis W. Peck	Fort Benton
Aaron J. Samuel	"
George F. Field	Great Falls

CUSTER COUNTY.

Charles R. Middleton	Miles City
Thomas P. McElrath	"
Jason W. Strevell	"
Spencer F. B. Biddle	Powderville
Harry F. Batchelor	Miles City
Charles Howard	"
Leslie Sulgrove	"
William Green (attorney)	"

DAWSON COUNTY.

Gustavus W. Hedderick	Poplar Creek Agency
Clinton G. Hedenberg	Glendive
Willoughby Clark	"

DEER LODGE.

Henry R. Whitehill	Deer Lodge
William L. Hoge	Anaconda
James F. Lansing	"
George B. Winston	"
Salton C. Cable	"
David M. Durfee	Phillipsburg
Miles J. Fitz Patrick	Anaconda
Arthur S. Higgins	"
John C. Robinson	Deer Lodge
Orville B. O'Bannon	"

GALLATIN COUNTY.

John W. Besserer	Bozeman
Howard A. N. Richards	Morehead
Will F. Davis	Bozeman
David C. Campbell	"
Cephas W. Haskins	Willow Creek
Albert L. Love	Livingston
Wm. A. Davis	Riverside
Charles S. Dawson	Livingston
James Fowlie	"
David H. Budlong	Cooke
Frank Henry	"

JEFFERSON COUNTY.

Nathaniel Merriman	Jefferson City
John McDonald	Boulder City
Joseph B. Brien	Basin
Alexander J. Elder	Boulder Valley

LEWIS AND CLARKE COUNTY.

Wm. Chumasero	Helena
Cyrus E. Kemp	"
John W. McLeod	"
LeFevre V. Styles	"
Wm. E. Cullen	"
Daniel King	"
Albert R. Gates	"
Herman Gans	"
Theodore H. Kleinschmidt	"
Court Sheriff	"
Oscar B Totten	"
Israel Salhinger	"

Charles F Woodman	Helena
Wm. H. Johnson	"
Stephen C. Gilpatrick	"
Terrence O'Donnell	"
Wm. Steele, Jr.	"
George Voss	Helena
Arthur J. Craven	"
Ignatz Weil	"
Charles Bauck	"
Louis Hillebrecht	"
Sam. M. LeRoy	"
Junius G. Sanders	"
Arthur Helwig	"
William Wallace, jr.	"
John Brunton	"
James P. Porter	"
William P. Burcher	Sun River
Lawrence R. Fortune	Augusta

MADISON COUNTY.

George W. Hardesty	Sheridan
Flavius J. Jones	Twin Bridges
August Jessen	Virginia City
Francis C. Deimling	" "
Robert Hedge	Meadow Creek
Lorens B. Olds	Red Bluff
Mortimer H. Lott	Twin Bridges
Robert N. Hawkins	Pony
Barclay Jones	Virginia City

MEAGHER COUNTY.

Napoleon C. Smith	Lavina
Monroe H. Parker	Townsend
Walter S. Corwin	Philbrook
John S. Phillips	Diamond City
Thomas A. Marlow	Fort Maginnis
Alfred J. Stephens	Oka
Napoleon B. Smith	White Sulphur Sprs
Joseph Woodard	Canyon Ferry
George Clendenin	Martinsdale
Eugene R. Clingan	Castner
Thomas F. Morgan	Stanford
George A. Wells	Cora Creek
George A. Campbell	Andersonville
Thomas E Pounds	Cottonwood

Frank Martin	Maiden
Lewellyn Roberts	Reedsfort
John Thomas	Lewiston
Herman H. Potting	Trout Creek

MISSOULA COUNTY.

John C. McDiarmid	Horse Plains
Walter M. Bickford	Missoula
George W. Sill	"
Frank A. Schmidt	"
James A. Allen	Thompson Falls
Carl T. Jones	Corvallis
John L. Sloane	Missoula
Matthew J. McCutcheon	Thompson Falls
Arthur W. Moore	" "
Joseph E. Marion	Frenchtown
Washington J. McCormick	Missoula
Gustavus A. Wolf	"

BEAVERHEAD COUNTY.

Webster S. Barbour	Dillon
Alfred E. Graeter	"
George E. Tarbull	Lion City
Bernard F. Gibbons	Glendale

SILVER BOW COUNTY.

Andrew J. Davis jr.	Butte
John T. Baldwin	"
John F. Forbis	"
Patrick Talent	"
James H. Monteath	"
Gustave A. Kornberg	"
Henry C. Bodley	"
Jeremiah B. Wilcox	"
Frank B. Thomes	"
George F. Marsh	"
James R. Clark	"
Walter Mackay	"

YELLOWSTONE COUNTY.

John McGinness	Billings
Herman H. Mund	"
George A. Griggs	"

On motion of Greene the council adjourned until 10 a. m. to-morrow.

DAVID MARKS, Chief Clerk.

TWENTY-FOURTH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 4th, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of twenty-third day read and approved.

The following reports were received:

Mr. President:

Your joint committee on enrollment beg leave to report that C. B. No. 18 was presented to the governor at 2:30 p. m. February 3d, 1885.

MITCHELL, Chairman.

Mr. President:

Your committee on printing would beg leave to report that they have examined the substitute for council bills Nos. 21 and 5, and find it correctly printed.

KENNEDY, Chairman.

Mr. President:

Your committee on agriculture have had C. B. No. 35, "An act concerning bounty for killing certain animals" under consideration and recommend that it do pass.

FERGUS, Chairman.

Mr. President:

Your committee on roads and highways, to whom was referred H. B. No. 22, and C. B. No. 31, respectfully report the same back, with the recommendation that they do not pass.

S. DEWOLFE, Chairman.

Mr. President:

Your committee of the whole to whom was referred C. B. No. 25, "An act entitled an act to amend an act concerning chattel mortgages, approved February 19th, 1881," have considered the same and have directed me to report the bill back to the council with the accompanying amendments, and recommend that the bill as amended do pass.

CHESSMAN, Chairman.

Amendment accompanying report:

Amend by striking out in section 1 the clause, Provided said time shall not exceed one year and thirty-three days thereafter and substituting in lieu thereof the clause provided the entire time shall not exceed one year and thirty-three days thereafter.

Mr. President:

Your committee of the whole to whom was referred, C. B's Nos. 22 and 30. "To amend section 342 of the fifth division of the revised statutes," have had the same under consideration, and have instructed me to report the same back with amendments, and as amended that the bill do pass.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole, to whom was referred, C. B. No. 28, "An act concerning the filing of mortgages," have considered the same, and have instructed me to report the bill back with amendments and as amended, that the bill do pass.

CHESSMAN, Chairman.

On motion of Buck, the amendment reported by the committee of the whole to C. B. No. 25 were adopted, and the bill was ordered engrossed.

On motion of Kennedy, the amendments reported by the committee of the whole to C. Bs. Nos. 22 and 30, were adopted and the bill was ordered engrossed.

On motion of DeWolfe, C. B. No. 28 was recommitted to the committee of the whole.

Notices of the introduction of bills were given as follows:

By DeWolfe—"A bill to amend section 428 of the code of civil procedure."

By Buck—"A bill to provide for an act to amend section 253 of the code of civil procedure."

Bills were introduced as follows:

By Kennedy— C. B. No. 37, "An act to amend an act providing for municipal corporations," read first and second times and referred to the committee on towns and counties.

By Greene—C. B. No. 38, "An act to amend an act entitled an act to establish a series of text books for the public schools, approved February 23d, 1881," read first and second times and ordered printed.

Buck introduced C. J. R. No. 3, "Making appropriation for the pay of members of the constitutional convention," read first and second times and referred to the committee on ways and means.

The following communication was received:

HOUSE OF REPRESENTATIVES.
Helena, Montana, February 3d, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Potts—"A bill for an act to authorize the organization and incorporation of annuity, safe deposit and trust companies."

By Seligman—"A bill for an act to amend section 400 of the 5th division of the revised statutes, regarding powers of under sheriffs."

Also, "A joint resolution for the relief of John O'Neil, J. H. McFarland and Geo. Bashaw."

By Fisk—"A bill apportion certain sections of Jefferson county to adjacent counties."

Also, "A bill to regulate the sale and use of oleomargarine, butterine, suine and other substitute for butter or cheese."

Bills were introduced as follows:

By Kohrs—H. B. No. 45, "A bill for an act to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle."

By Biddle—H. B. No. 46, "A bill for an act to amend sections 87 and 92 of the first division, code of civil procedure of the revised statutes of Montana."

By Wells—H. B. No. 47, "A bill for an act entitled an act to supply the public schools with Webster's dictionaries."

By Eastman—H. B. No. 48, "A bill for an act to amend section four of an act concerning chattel mortgages, approved February 19th, 1881."

By Potts—H. B. No. 49, "A bill for an act to amend section 89, article 2, fifth division, revised statutes of territory of Montana, and for other purposes."

Also, H. B. No. 50 "A bill for an act to amend an act to regulate the fees of sheriffs for board of prisoners, approved February 10th, 1881."

Seligman introduced H. J. R. No. 7, "For the relief of J. O'Neill J. H. McFarland and G. Bashaw."

That C. B. No. 8; also H. B's Nos. 28 and 36 have passed the house and the same are herewith transmitted.

That the report of the inspector of the insane hospital, submitted by governor Carpenter, is herewith transmitted for your consideration.

That H. B. No. 44 was indefinitely postponed.

HARRY H. DAVIS, Chief Clerk.

H. B. No. 28, "A bill for an act authorizing the governor to contract for the keeping and maintenance of territorial prisoners," was read first and second times and referred to the committee on ways and means."

H. B. No. 36, "A bill for an act to authorize the schoo trustees of district No. 1, Deer Lodge county, to issue bonds for certain purposes," was read first and second times and referred to the committee on ways and means.

The hour having arrived for which substitute for council bills 5 and 21 was made a special order, the council resolved itself into committee of the whole for its consideration.

Buck in the chair.

Council resumed.
Mr. President in the chair.

The report of C. K. Cole, M. D., inspector of the territorial insane asylum, to the governor of the territory, was read and placed on file.

The council resolved itself into committee of the whole for the consideration of general orders.

Kennedy in the chair.

Council resumed.
Mr. President in the chair.

On motion of Morris, the council concurred in house amendments to C. B. No. 8 and the bill was ordered enrolled.

On motion of Morris the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

TWENTY-FIFTH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 5, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of twenty-fourth day read and approved.

The following reports were received:

Mr. President:

Your committee on ways and means to whom was referred C. J. R. No. 2, to pay for marks and brands, have had the same under consideration and beg leave to report it back with the recommendation that it do pass.

MORRIS, Chairman.

Mr. President:

We, your committee on corporations, reporting on C. B. No. 33 recommend that the said bill do pass.

BUCK, Chairman.

Mr. President:

The committee of the whole beg leave to report back C. B. No. 28, with the recommendation that it be amended by changing the number "five" to "seven" and that as amended it do pass.

Also, C. B. No. 31 is reported back with the recommendation that it do pass.

Also, C. B. No. 35 is reported back with the recommendation that the words "moles, gophers, and prairie dogs" be inserted after the words "ground squirrel" wherever the latter words occur in the body of the bill, and that as amended the bill do pass.

Also, H. B. No. 22 is reported back with the recommendation that it do not pass.

KENNEDY, Chairman.

On motion of DeWolfe the amendments reported to C. B. No. 28 by the committee of the whole, were adopted and the bill was ordered engrossed.

On motion of Chessman the amendments reported to C. B. No. 35, by the committee of the whole, were adopted and the bill was ordered engrossed.

C. B. No. 31 was ordered engrossed.

The following report was received:

Mr. President:

We, your committee of the whole, recommend that substitute for C. B's Nos. 5 and 21 be amended by striking out the word "that" in line 2 of section 1, and that the bill as amended do pass.

BUCK, Chairman.

On motion of DeWolfe the amendment was adopted and the bill was ordered engrossed.

Notices of the introduction of bills were given as follows:

By Kennedy—"A bill for an act to incorporate the city of Missoula."

By Armstrong—"A bill to amend sections 374, 378, and 399 of the third division of the revised statutes."

Also "A bill for the relief of Josephus P. Martin."

Also "An act to repeal an act concerning the fees of jurors in civil cases, approved February 21, 1881."

Bills were introduced as follows:

By Buck—C. B. No. 39, "An act to amend section 253 of the code of civil procedure."

Read first and second times and referred to committee on judiciary.

By DeWolfe—"A bill for an act to amend section 428 of the first division of the revised statutes."

Read first and second times and referred to the committee on judiciary.

On motion of DeWolfe the rules were suspended and the following resolution was adopted:

COUNCIL JOINT RESOLUTION.

Resolved by the legislative council, the house of representatives concurring, that Saturday, February 21, 1885, be and the same is hereby fixed as the day of final adjournment of the present session of the legislative assembly.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 4, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Page—"A H. J. R. for the relief of Marshall D. Platner, ex-sheriff of Madison county."

By Jurgens—"A H. J. R. for the purpose of placing insurance on the Montana territorial law library."

Seligman introduced H. B. No. 51, "An act to amend section 400 of the fifth division, revised statutes of the territory of Montana."

C. B. No. 9 was lost and the same is herewith transmitted.

C. B. No. 19 was passed and the same is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

C. B. No. 19 was ordered enrolled.

H. B. No. 22 was read third time and lost by the following vote:

Ayes—None.

Noes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

The council resolved itself into committee of the whole for the consideration of general orders.

Greene in the chair.

Council resumed.
Mr. President in the chair.

On motion of Kennedy the council adjourned until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk.

TWENTH-TIXTH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 6th, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.

Roll called—quorum present.

On motion of Mitchell, the chaplain was excused for the day.

Journal of the twenty-fifth day read and approved.

The following reports were received:

Mr. President:

The judiciary committee to which was referred C. B's Nos. 34 and 36, recommend that each of said bills pass as introduced.

S. DeWolfe, Chairman.

Mr. President:

The judiciary committee to which was referred C. B. No. 39 have considered the same and recommend that it pass.

S. DeWolfe, Chairman.

Mr. President:

The undersigned, a member of the judiciary committee, recommends that C. B. No. 40 be passed as introduced.

S. DeWolfe, Chairman.

Mr. President:

Your committee on ways and means, to whom was referred H. B. No. 36, "A bill for an act to authorize the school trustees of district No. 1, Deer Lodge county, to issue bonds for certain purposes," have had the same under consideration and beg leave to report it back with the recommendation that it do pass.

Morris, Chairman.

Mr. President:

Your committee on ways and means to whom was referred C. B. No. 32, in relation to taxation of telegraph and telephone lines, have had the same under consideration and beg leave to report it back with the following amendment, and as amended recommend that it do pass.

Morris, Chairman.

Amend by striking out the words "twenty-five" in section 1, and insert in lieu thereof the words "seventy-five."

On motion of Chessman the amendment was adopted.

The following report was received:

Mr. President:

Your committee on engrossment, to whom was referred C. B. No. 25, "An act entitled an act to amend an act concerning chattel mortgages, approved February 19, 1881," also C. B. No. 30, "An act to amend section 342 of the fifth division of the revised statutes,"

beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, February 6, 1885.

To the Council:

I have the honor to inform the legislative council that I have this day signed C. B. No. 18, entitled "An act to amend section 77 of chapter 6 of the criminal practice act of the revised statutes of Montana."

Very Respectfully,
B. P. CARPENTER.

Fergus gave notice as follows:

Mr. President:

I hereby give notice that on to-morrow or some future day I will ask leave to introduce a bill for an act relating to conveyances of married women and corporations.

On motion of DeWolfe C. B. No. 28 was recalled from the committee on engrossment and recommitted to the committee on judiciary for the purpose of amendment.

H. B. No. 36 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

C. B. No. 25 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

C. B. No. 30 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

The council resolved itself into committee of the whole for the consideration of general orders.

DeWolfe in the chair.

Council resumed.
Mr. President in the chair.

Kennedy was granted unanimous consent to introduce a printed bill relative to incorporating the city of Missoula.

On motion of Cardwell the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

TWENTY-SEVENTH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 7, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
On motion of Morris, Mitchell was granted leave of absence for the day.
Journal of twenty-sixth day read and approved.

The president was granted leave of absence for Monday next.

The following reports were received:

Mr. President:

Your committee on printing beg leave to report that they have examined C. B. No. 38 and find it correctly printed.

KENNEDY, Chairman.

Mr. President:

Your committee to whom was referred C. J. R. No. 3, making appropriation for the payment of members of the constitutional convention, have had the same under consideration and beg leave to report it back to the council with the following observations:

Your committee recognize the fact that the territory of Montana received the services of forty-five of her ablest statesmen without any just compensation

That the keystone and arch of the future great state of Montana, carved out by the labors of the convention, and spoken into existence by the people, was a work performed with unselfish motives and for which the people of Montana should ever hold the members of that convention in grateful remembrance.

But inasmuch as the law that spoke the convention into existence prohibited the territory from granting any pecuniary compensation to its members, your committee deem it unwise and inexpedient, in the present depleted condition of the territorial treasury, to recommend the payment of any claims not expressly provided for by law.

Your committee therefore recommend the passage of the following resolution:

Resolved by the council, the house concurring, that the thanks of the people of the territory of Montana are due and are hereby tendered to the members of the late constitutional convention, "and that upon the admission of Montana into the Union of States the first right to represent her in the halls of congress, or upon the floor of the United States senate, is hereby delegated to the members of said convention."

All of which is respectfully submitted.

MORRIS, Chairman.

Mr. Presideent:

Your committee on ways and means to whom was referred substitute for H. B. No. 24, "An act to amend section 420 of the fifth division of the revised statutes of Montana territory of 1879," have had the same under consideration, and beg leave to report it back with the recommendation that it do pass.

MORRIS Chairman.

Mr President:

We, as members of the judiciary committee, to which was committed C. B. No. 40, reporting on said bill, recommend that the same do not pass.

BUCK.
CHESSMAN.

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 31, "An act to amend section 1072 of the fifth division of the revised statutes," also C. B. No. 35, "An act concerning bounty for killing certain animals," beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on enrollment beg leave to report C. B's Nos. 8 and 19 are correctly enrolled.

MITCHELL, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred H. B. No. 29, "A bill for an act to amend sections 1193 and 1194 fifth division, revised statutes," have had the same under consideration and report the bill back with the recommendation that it do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 27, "An act to create the county of Judith and for the election of officers thereof," have had the same under consideration and report the same back with the accompanying substitute, and recommend the passage of the same.

All of which is respectfully submitted.

CARDWELL, Chairman.

C. B. No. 38 was referred to the committee on education and labor.

The report of the committee in reference to C. J. R. No. 3, on motion of Chessman, was adopted, and the resolution was placed upon the general orders.

On motion of Cardwell the substitute reported by the committee on towns and counties to C. B. No. 27 was adopted and the bill placed upon the general orders.

H. B's Nos. 24 and 29 and C. B. No. 40 were placed upon the general orders.

The following report was received:

Mr. President:

The committee of the whole have had under consideration C. B's Nos. 34, 36, and 39, and have instructed me to report said bills

back to the council with recommendations that they each be passed.

The committee also had under consideration C. B. No. 32 and have instructed me to report that they deferred the further consideration of the bill and ask that it be made the special order for Wednesday, February 11th, at 11 o'clock a. m. in committee of the whole.

S. DeWolfe, Chairman.

On motion of DeWolfe C. B. No. 32 was made a special order for Wednesday, February 11th, at 11 o'clock a. m.

C. B's Nos. 34, 36, and 39 were ordered engrossed.

Fergus gave notice as follows:

Mr. President:

I hereby give notice that on Monday or some future day I will ask leave to introduce a bill entitled an act relating to fees and salaries.

Bills were iutroduced as follows:

By Fergus—C. B. No. 41, "A bill for an act concerning conveyances of married women and corporations."

Read first and second times and referred to the committee on judiciary.

By Kennedy—C. B. No. 42' "An act to incorporate the city of Missoula."

Read first and second times and referred to the committee on towns and counties.

Cardwell moved a call of the house. A call was had. Absent, Buck, DeWolfe and Morris.

The absentees having appeared and answered to their names a further call was dispensed with.

The following communication was received:

House of Representatives,
Helena, Montana, February 6, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Potts—"A bill to amend section 229, article 2, chapter 13, fifth division of the revised statutes of Montana territory."

Also, "A bill for the relief of A. J. Davidson and William N. Baldwin."

By Robinson—"A bill asking the aid of Gallatin county in the construction of an irrigating canal therein."

Bills were introduced as follows:

By Taylor—"H. B. No. 52, "A bill for an act to prevent persons from hunting and shooting within the enclosures of others without leave."

By Potts—H. B No. 53, "An act to authorize the organization of annuity, safe deposit and trust companies."

By Jurgens—H. J. R. No. 8, "For placing insurance on the Montana law library."

H. B's Nos. 16, 19, 47, 50, and substitute for H. B. No. 38, have passed the house and are herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

On motion of Cardwell the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.
Absent on leave—Mitchell.

H. B. No. 50, "A bill for an act to amend an act to regulate the fees of sheriffs for board of prisoners, approved February 10, 1881," was read first and second times and referred to the committee on ways and means.

H. B. No. 47, "A bill for an act entitled an act to supply the public schools with Webster's dictionary." was read first and second times and referred to the committee on education and labor.

Substitute for H. B. No. 38, "A bill for an act entitled an act to amend sections 504 and 506 of the fifth division, revised statutes of Montana territory," was read first and second times and referred to the committee on education and labor.

H. B. No. 19, "A bill for an act to amend an act entitled an act concerning fences, approved February 23, 1881," was read first and second times and referred to the committee on agriculture.

H. B. No. 16, "A bill for an act concerning the representation of quartz lodes," was read first and second times and referred to the committee on mines and minerals.

C. B. No. 35 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—11.

Noes—None.

Absent—Mitchell,—1.

Title agreed to.

C. B. No. 31 was read a third time and lost by the following vote:

Ayes—Chessman, Cotant, Morris.—3.

Noes—Barrett, Buck, Cardwell, DeWolfe, Fergus, Greene, Kennedy, Mr. President.—8.

Absent—Mitchell,—1.

The council resolved itself into committee of the whole for the consideration of general orders.

Morris in the chair.

Council resumed.
Mr. President in the chair.

On motion of Greene the council adjourned until 10 a. m. Monday.

DAVID MARKS, Chief Clerk

TWENTY-NINTH DAY.

COUNCIL CHAMBER,
Helena, M. T., Feb. 9, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.

Mr. President being absent on leave, on motion of Cardwell, Mitchell took the chair.
Roll called—quorum present.
Absent on leave—Mr. President.

A petition from the book sellers of the territory remonstrating against a change of school books, was read and referred to the committee on education and labor.

A petition from citizens of Meagher county, praying for a division of the county was read.

The following reports were received:

Mr. President:

Your committee on engrossment, to whom was referred C. B No. 34, "An act to amend section 155 of chapter 2 of the first division of the revised statutes;" Also, C. B. No. 36, "An act to amend the second subdivision of section 211 of chapter 19 of the third division of the revised statutes;" Also, C. B. No. 39, "An act to amend section 253 of the code of civil procedure," beg leave to report that they have examined the same, and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on engrossment to whom was referred substitute for C. Bs. Nos. 21 and 5, "An act to provide for assignments for the benefit of creditors," beg leave to report that they have examined the same and find it correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred, C. B. No. 42, "An act to incorporate the city of Missoula," have had the same under consideration, and beg leave to report the same back with the recommendation that it do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on agriculture to whom was referred, H. B. No. 19 being a bill for an act entitled an act concerning fences, approved February 23d, 1881, have had the same under consideration and recommend that it do pass.

FERGUS, Chairman.

Mr. President:

Your committee of the whole, to whom was referred C. B. No. 33 An act to amend section 1219 of chapter 67 of the fifth division of the revised statutes, and C. J. R. No. 2, "To pay for marks and brands, return the same with the recommendation that they do pass.

GREENE, Chairman.

The following report was received:

Mr. President:

Your committee of the whole have considered the following bills:

Substitute for H. B. No. 24, "An act to amend section 420 of the 5th division of the revised statutes," and recommend that the words "his processes" on third line of second page be stricken out and the word "process" be inserted in lieu thereof, and as so amended recommend its passage.

H. B. 29—"A bill for an act to amend sections 1193 and 1194, 5th division of the revised statutes of Montana, and recommend its passage with the following amendment: Strike out the words "an additional" in lines 7 and 8 of section 1194, and insert the word "the" in lieu thereof and insert the word Yellowstone after the word Missoula, in line 6 section 1193.

Substitute for C. B. No. 27—"An act to create the county of Judith and for the election of officers thereof," and recommend that it be so amended as to make it the county of Fergus instead of the county of Judith, and that it do pass.

Also C. B. No. 40, A bill for an act to amend section 428 of the first division of the revised statutes, and recommend that it be made a special order for 110'clock a. m. Tuesday next.

Also C. J. R. No. 3 with its substitute and recommend that they do not pass.

MORRIS, Chairman.

On motion of Cardwell the report was adopted.

Notices of the introduction of bills were given as follows:

By Buck—"A bill for an act to amend chapter 5 of the fourth division, criminal laws of the revised statutes."

By DeWolfe—"A bill entitled a bill for an act authorizing county commissioners to award contracts for keeping roads in repair."

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., February 7, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that H. B. No. 23 has duly passed the house, and is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

H. B. No. 23, "An act to suppress gambling," was read first and second times, and on motion of Kennedy was referred to a special committee consisting of Kennedy, Greene and Buck.

C. B. No. 34 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris.—11.

Noes—None.

Absent—Mr. President.—1.

Title agreed to.

C. B. No. 36 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris.—11.

Noes—None.

Absent on leave—Mr. President.—1.

Title agreed to.

C. B. No. 39 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris.—11.

Noes—None.

Absent on leave—Mr. President.—1.

Title agreed to.

Substitute for C. B's 5 and 21 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris.—11.

Noes—None.

Absent on leave—Mr. President.—1.

Title agreed to.

The council resolved itself into committee of the whole for the consideration of general orders.

Greene in the chair.

Council resumed.

Mr. President *pro tem* in the chair.

C. B's Nos. 33, and substitute for C. B. No. 27, C. J. R's Nos. 2 and 3 and amendments to H. B's Nos. 24 and 29, were ordered engrossed.

On motion of Cardwell, the council adjouned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

THIRTIETH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 10, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called, quorum present.
Prayer by the chaplain.
Journal of twenty-ninth day read and approved.

Petitions from citizens of Missoula, remonstrating against the division of that county, were read and referred to the committee on towns and counties.

The following reports were received:

Mr. President:

We, your committee on elections, to whom was referred C. B. No. 6, beg leave to report back the same with no recommendation.

BUCK, Chairman.

Mr. President:

Your committee on engrossment to whom was referred H. B. No. 24, "An act to amend section 420 of the fifth division of the revised statutes of Montana territory, 1879," also H. B. No: 29, "A bill for an act to amend sections 1193, 1194, fifth division, revised statutes of Montana," with amendments, beg leave to report that they have examined the same and find the amendments correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred substitute for H. B. No. 32, "A bill for an act to amend section 387 of the fifth division of the revised statutes, relating to the duties of county clerks," have had the same under consideration and report the same back with the recommendation that it do pass.

CARDWELL, Chairman.

H. B. No. 32 and C. B. No. 6 were placed upon the general orders.

The following report was received:

Mr. President:

Your committee of the whole to whom was referred C. B. No. 42, "An act to incorporate the city of Missoula," and H. B. No. 19, "An act to amend an act entitled an act concerning fences," approved Feb. 23, 1881, return the same with the recommendation that they do pass.

GREENE, Chairman.

Notices of the introduction of bills were given as follows:

By Mitchell—"An act to prevent woman beating in the territory of Montana."

By DeWolfe—"A bill for an act to create a school text book commission."

Bills were introduced as follows:

By Fergus—C. B. No. 43, "Relating to fees and salaries."

Read first and second times and referred to committee on ways and means.

By Buck—C. B. No. 44, "An act to amend chapter 5 of the fourth division, criminal laws of the revised statutes."

Read first and second times and referred to committee on judiciary.

By DeWolfe—C. B. No. 45, "A bill for an act authorizing county commissioners to award contracts for keeping roads in repair."

Read first and second times and referred to the committee on roads and highways.

The president announced that he had signed H. B. No. 36 and H. J. R. No. 6.

The following report was received:

Mr. President:

Your committee on engrossment to whom was referred C. J. R. No. 2, "To pay for marks and brands," also C. J. R. No. 3, "Making appropriation for the pay of members of the constitutional convention," also C. B. No. 33, "An act to amend section 1219 of chapter 67 of the fifth division of the revised statutes," beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Morris introduced the following resolution, which upon motion of Chessman was adopted:

Resolved by the council, the house concurring, that a joint committee of three members of the council, to act with a like committee of the house, be appointed to examine the books and accounts of the territorial auditor and treasurer. Said committee be empowered to employ an expert, if in their judgment it should be necessary.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 9, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Hatch gave notice of the introduction of a H. J. R. making appropriation for the law division of the Montana library.

That notice of the introduction of bills were given as follows:

By Tingle—"A bill for an act to amend an act entitled an act to establish a series of text books for the public schools," approved February 23, 1881.

Also, "A bill for an act to prevent and punish indecent exposure of the person,"

Also, "A bill for an act to establish a hospital for the insane."

That the following bills were introduced:

By Potts—H. B. No. 54, "A bill for an act to amend section 229, article 2 of chapter 13 of revised statutes."

Also, H. B. No. 55, "An act for the relief of Ansalem J. Davidson and William N. Baldwin."

That H. J. R. No. 7 has passed the house and is, together with the report of the select committee in reference thereto, herewith transmitted.

H. B's Nos. 33 and 49 have passed the house and are herewith transmitted.

Mr. Speaker announced the signing of H. B. No. 36 and H. J. R. No. 6.

HARRY H. DAVIS, Chief Clerk.

H. J. R. No. 7, "For the relief of J. O'Neill, J. H. McFarland and George Bashaw," was read first and second times and referred to the committee on ways and means.

H. B. No. 49, "A bill for an act to amend section 89, article 2, fifth division, revised statutes of territory of Montana," was read first and second times and referred to the committee on ways and means.

H. B. No. 33, "An act to create the county of Ravalli," was read first and second times and referred to the committee on towns and counties.

H. B. No. 19 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

The hour having arrived for which C. B. No. 40 was made a special order the council resolved itself into a committee of the whole for its consideration.

Kennedy in the chair.

Council resumed.
Mr. President in the chair.

Substitute for H. B. No. 24, as amended by the council, was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

H. B. No. 29 was read a third time and on motion of Kennedy the bill was recommitted to the committee on engrossment for correction.

On motion of Kennedy the rules were suspended, C. B. No. 42 was considered engrossed and placed on file for a third reading.

C. J. R. No. 2 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

C. J. R. No. 3 was read a third time and lost by the following vote:

Ayes—Buck, Cotant, DeWolfe,—3.

Noes—Barrett, Cardwell, Chessman, Kennedy, Mitchell, Morris, Mr. President.—7.

Excused from voting—Fergus, Greene,—2.

C. B. No. 33 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

On motion of Mitchell the rules were suspended, C. B. No. 42 was read a third time by title and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

The council resolved itself into committee of the whole for the consideration of general orders.

Buck in the chair.

Council resumed.

Mr. President in the chair.

Chessman moved to take a recess until 2 p. m.

Mitchell amended the motion by adjourning until 10 a. m. to-morrow.

The motion as amended prevailed and the council adjourned until 10 a. m. to-morrow.

DAVID MARKS, Chief Clerk

THIRTY-FIRST DAY.

COUNCIL CHAMBER,
Helena, Montana, February 11, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of thirtieth day read and approved.

The following reports were received:

Mr. President:

Your committee on engrossment to whom was referred H. B. No. 29, "A bill for an act to amend sections 1193 and 1194, fifth division of the revised statutes of Montana," with amendments, beg leave to report that they have examined the same and find the amendments correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on engrossment, to whom was referred, substitute for C. B. No. 27, "An act to create the county of Fergus," and for the election of officers therein," beg leave to report that they have examined the same and find it correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

The judiciary committee to which was referred C. B No. 44 recommend its passage as introduced.

S. DEWOLFE, Chairman.

Mr. President:

Your committee on ways and means, to whom was referred H. B. No. 49, "A bill for an act to amend section 89, article 2, fifth division, revised statutes of the territory of Montana and for other purposes," report the same back recommending its passage

Also, H. J. R. No. 7, "For the relief of J. O'Neill, J. H. McFarland and G. Bashaw," report same back without recommendation.

Also H. B. No. 50, "A bill for an act to amend an act to regulate the fees of sheriffs for board of prisoners, approved February 10th, 1881," report same with amendments attached to said bill, and as so amended recommend its passage as amended.

MORRIS, Chairman.

On motion of DeWolfe, the amendments offered to H. B. No. 50, were adopted.

C. B. No. 44, H. B. No. 44, H. J. R. No. 7 and H. B. No. 50 were placed on the general orders.

The following reports were received:

Mr. President:

We, your committee of the whole, submit the following report:

We recommend that substitute for H. B. No. 32 do pass; that C. B. No. 6 be left to the further consideration of your committee.

BUCK, Chairman.

Mr. President:

Your committee of the whole beg leave to report back C. B. No. 40, with the recommendation that it do pass.

KENNEDY, Chairman.

Bills were introduced as follows:

By DeWolf—C. B. No. 46, "A bill for an act to create a school text book commission," read first and second times and referred to the committee on education and labor.

Also, C. B. No. 47, "An act to provide for recording the written opinions of the supreme court, and for enforcing its judgment," read first and second times and referred to the judiciary committee.

By Armstrong—C. B. No. 48, "An act for the relief of Josephus P. Martin," read first and second times and referred to the committee on ways and means.

Also, C. B. No. 49, "An act to amend sections 347, 378 and 399 of criminal practice act," read first and second times and referred to the committee on judiciary.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 10, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that bills were introduced as follows:

By Holt—H. B. No. 56, "A bill for an act to enable the board of county commissioners of Custer county, to fund the county indebtedness."

Also, H. B. No. 57, "A bill for the better protection of the live stock interests in the territory."

By Tingle—H. B. No. 58, "A bill for an act to amend an act entitled an act to establish a series of text books for the public schools, approved February 23d, 1881."

By Robinson—H. B. No. 59, "A bill for an act to enable Gallatin county, Montana territory, to issue bonds in aid of the Bozeman and West Gallatin Canal and Water Ditch company."

That Hatch introduced H. J. R. No. 9, "Making appropriation to the law library."

HARRY H. DAVIS, Chief Clerk.

H. B. No. 29 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—11.

Noes—Kennedy.—1.

Title agreed to.

Substitute for H. B. No. 32 was read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

Substitute for C. B. No. 27 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None

Title agreed to.

Council resolved itself into committee of the whole for the consideration of general orders.

Mitchell in the chair.

The committee arose for the purpose of receiving a message from the house.

Committee resumed.

Committee arose.

Council resumed.
Mr. President in the chair.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 11, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that substitute for H. B. No. 31 has passed the house, and the same is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

On motion of Morris, the clerk was instructed to return to the house, H. B. No. 31, for proper engrossment.

On motion of Buck, the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

C. B. No. 40 was ordered engrossed.

The following report was received:

Mr. President:

Your committee of the whole to whom was referred, C. B No. 44, "A bill for an act to amend chapter 5 of the fourth division of the criminal laws of the revised statutes."

H. B. No. 49, "A bill for an act to amend section 89, article 2, fifth division, revised statutes of the territory of Montana, and for other purposes," having considered the same, have instructed me to report the same back with a recommendation that they do pass.

Your committee having also, duly considered H. J. R. No. 7, For the relief of J. O'Neill, J. H. McFarland and G. Bashaw, have instructed me to report the resolution back without recommendation.

MITCHELL, Chairman.

C. B. No. 44, was ordered engrossed.

On motion of Mitchell the council resolved itself into committee o the whole for the consideration of general orders.

Chessman in the chair.

Council resumed.
Mr. President in the chair.
On motion of Cardwell the council adjourned until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk.

THIRTY-SECOND DAY.

COUNCIL CHAMBER,
Helena, Montana, February 12, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of thirty-first day read and approved.

A petition from citizens of Yellowstone county asking that the fees of county officers remain the same as are now allowed by law.

The following reports were received:

Mr. President:

We, your judiciary committee, recommend that C. B. No. 26 do pass with the following amendments:

Title to be amended so as to read as follows:

"An act to amend chapter 4 of title 6, and chapter 4 of title 10 of the code of civil procedure."

Substitute the word "territory" for the word "state" wherever the latter occurs in section 398 d.

Insert the words "an undertaking" after the words "on executing" in line 9 of section 404 j, and the words "to be approved by the judge or court" after the words "with sufficient sureties" in line 10 of said section.

S. DEWOLFE, Chairman.

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 40, "A bill for an act to amend section 428 of the first division of the revised statutes," also C. B. No. 44, "An act to amend chapter 5 of the fourth division, criminal laws of the revised statutes," beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your joint committee on enrollment beg leave to report that H. B. No. 36 and H. J. R. No. 6 were presented to the governor at 4 o'clock p. m. on February 11, 1885.

MITCHELL, Chairman.

Mr. President:

Your committee of the whole to whom was referred C. B. No. 32, "An act in relation to taxation of telegraph and telephone lines," have had the same under consideration and have directed me to report the bill back with the accompanying amendments, and as amended recommend that the same do pass.

CHESSMAN, Chairman.

On motion of DeWolfe the amendments reported by the judiciary committee to C. B. No. 26 were adopted and the bill placed upon the general orders.

On motion of Chessman the report of the committee of the whole on C. B. No. 32 was adopted and the bill was ordered engrossed.

Greene gave notice as follows:

Mr. President:

I hereby give notice that I will upon to-morrow or upon some subsequent day introduce a bill entitled "An act to enable the county of Yellowstone to build a court house."

The president announced that he had signed C. B's Nos. 8 and 19.

The following communication was received:

HOUSE OF REPRESENTATIVES.
Helena, Montana, February 11, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Seligman—"A bill for an act concerning dower."

Also "A bill to authorize the levy of an additional mill for territorial purposes."

By Holt—"A bill to incorporate Miles City."

By Kohrs—"A bill for an act to amend section 806, general laws, relating to licenses."

Also "A bill for an act to provide for the payment of damages for stock, and from fires occasioned by operating railroads."

By Perkins—"A bill for an act to provide for the support and maintenance of the Philipsburg fire department."

By Jurgens—"A bill for an act concerning official duties."

That Page gave notice of the introduction of a H. J. R. in reference to official maps of Montana territory.

That the following bills were introduced:

By Sloan—H. B. No. 60, "An act to create the county of Bridger and for the election of officers thereof."

By Taylor—H. B. No. 61, "A bill for an act to create the county of Dearborn."

By Fisk—H. B. No. 62, "A bill for the protection of dairymen, and to prevent deception in the sales of butter and cheese."

By Potts—H. B. No. 63, "A bill for an act to amend section 586 article 2, chapter 22 of the fifth division, revised statutes of the territory of Montana."

By Tingle—H. B. No 64, "A bill for an act to prevent and punish indecent exposure of the person."

By Wells—H. B. No. 65, "A bill for an act entitled an act relating to marriage."

That H. B, No. 52 has passed the house and is herewith transmitted.

That Mr. Speaker announced the signing of C's B. Nos. 8 and 19.

HARRY H. DAVIS, Chief Clerk.

H. B. No. 52, "A bill for an act to prevent persons from hunting or shooting within the enclosures of others without leave," was read first and second times and referred to the committee on grazing and stock growing.

H. B. No. 49 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—Kennedy.—1.

Title rgreed to.

H. J. R. No. 7 was read a third time and lost by the following vote:

Ayes—Buck, Chessman, Fergus, Greene.—4.

Noes—Barrett, Cardwell, Cotant, DeWolfe, Mitchell, Morris, Mr. President.—7.

Absent—Kennedy.—1.

The following report was received:

Mr. President:

Your committee of the whole, to whom was referred H. B. No. 50, "A bill for an act to amend an act to regulate the fees of sheriffs for board of prisoners, approved Feb. 10, 1881," have considered the same and have directed me to report the bill back to the council with the accompanying amendment, and as amended that the same do pass.

CHESSMAN, Chairman.

On motion of Morris the report was adopted.

On motion of Chessman the rules were suspended, the amendments were considered engrossed and the bill placed on file for a third reading.

On motion of Greene H. B. No. 50 was recommitted to the committee on ways and means for the purpose of amendment.

On motion of DeWolfe C. B. No. 40 was recommitted to the committee on judiciary for amendment.

C. B. No. 44 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus. Greene, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—Kennedy.—1.

Title agreed to.

The council resolved itself into a committee of the whole for the consideration of general orders.

Greene in the chair.

Council resumed.
Mr. President in the chair.

On motion of Mitchell the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

THIRTY-THIRD DAY.

COUNCIL CHAMBER,
Helena, Montana, February 13th, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of thirty-second day read and approved.

A petition from citizens of Yellowstone county, relative to the passage of a printing law was read.

Petitions relative to the passage of a law to suppress gambling, were read and referred to the special committee that has H. B. No. 23 under consideration.

The following reports were received:

Mr. President:

Your committee on mines and minerals to whom was referred, H. B. No. 16, "A bill for an act concerning the representation of.

quartz lodes," beg leave to report same back with amendments attached to said bill and recommend its passage as amended.

MORRIS Chairman.

Mr President:

Your committee on ways and means to whom was re-referred H. B. No. 50, "A bill for an act to amend an act to regulate the fees of sheriffs for board of prisoners, approved February 10th, 1881," beg leave to report the same back and recommend its passage as amended.

MORRIS, Chairman.

On motion of DeWolfe, the amendments offered to H. B. No. 16, reported by the committee on mines and minerals, were adopted, and the bill was placed on general orders.

Mr. President:

Your committee of the whole to whom was referred, C. B. No. 26, An act to amend chapter 6 and chapter 4 of title 10 of the code of civil procedure, having had the same under consideration, beg leave to report the same back with the recommendation that it do pass.

GREENE, Chairman.

Mr. President:

Your committee of the whole to whom was referred C. B. No. 6, "An act to amend section 529 of the fifth division of the revised statutes of Montana," having considered the same, have directed me to report the bill back to the council with the accompanying amendments and that as amended the bill do pass.

CHESSMAN, Chairman.

On motion of Kennedy the amendments to C. B. No. 6 were adopted.

C. B's Nos. 6 and 26 were ordered engrossed.

Notices were given as follows:

By Chessman—"A bill to apportion the members of the legislative assembly."

By DeWolfe—"An act in relation to the presentation of and auditing accounts by the board of county commissioners."

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Page gave notice of the introduction of "A bill for an act to prohibit the retailing of intoxicating liquors on Sunday."

That the following bills were introduced:

By Jurgens—H. B. No. 66, "A bill for an act concerning official duties."

By Seligman—H. B. No. 67, "An act to authorize the levy of an additional mill for territorial purposes."

By Perkins—H. B. No. 68, "An act to provide for the support and maintenance of the Philipsburg fire department."

That the house has concurred in the council amendments to H. B. No. 29 and substitute for H. B. No. 24.

That the house requests you to transmit copies of the C. J. R's mentioned in your communications.

HARRY H. DAVIS, Chief Clerk.

On motion of Morris the rules were suspended and the amendments to H. B. No. 50 were considered engrossed and the bill placed on file for a third reading.

H. B. No. 50 was read a third time.

On motion of DeWolfe the bill was amended by striking out the words "introduced by B. F. Potts after the enacting clause," the bill passed by the following vote:

Ayes—Barrett, Cardwell, Chessman, DeWolfe, Fergus, Mitchell, Morris, Mr. President.—8.

Noes—Buck, Cotant, Greene, Kennedy.—4.

Title agreed to.

The council resolved itself into committee of the whole for the consideration of general orders.

Kennedy in the chair.

Council resumed.
Mr. President in the chair.

Cardwell moved to reconsider the vote by which H. J. R. No. 7 was lost on yesterday, the motion was lost by the following vote:

Ayes—Buck, Cardwell, Chessman, Fergus, Greene, Kennedy—6.

Noes—Barrett, Cotant, DeWolfe, Mitchell, Morris, Mr. President.—6.

On motion of Cardwell the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

THIRTY-FOURTH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 14, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of thirty-third day read and approved.

Petitions from citizens of Gallatin county, asking for the passage of a law to suppress gambling, were read and referred to the special committee having under consideration H. B. No. 23.

The following report was received:

Mr. President:

The judiciary committee to which was referred C. B. No. 40, beg leave to report it back with the accompanying amendment attached to the bill, and recommend its adoption, and that the bill so amended be passed.

S. DEWOLFE, Chairman.

On motion of Barrett the amendments were adopted, the rules were suspended and the bill was ordered engrossed.

The following report was received:

Mr. President:

Your committee of the whole house beg leave to report back H. B. No. 16 as amended by the committee on mines and minerals, with the recommendation that it do pass with the following amendment:

That the word "sections" be substituted for the word "section" in the second line of section 3.

KENNEDY, Chairman.

On motion of DeWolfe the amendment was adopted and ordered engrossed.

Notices of the introduction of bills were given as follows:

By Buck—"A bill for an act to ratify and validate certain bonds issued by the county of Choteau to erect a court house and jail."

Also "A bill for an act to enable the county of Choteau to pay a balance due for the erection of a court house."

By DeWolfe—"An act concerning the rights and liabilities of husband and wife."

By Fergus—"A bill entitled an act concerning penalties for crime."

Bills were introduced as follows:

By Buck—C. B. No. 50, "An act to amend an act to incorporate the city of Fort Benton," was read first and second times and referred to the committee on incorporations.

By DeWolfe—C. B. No. 51, "An act in relation to the presentation and auditing of accounts by county commissioners," was read first and second times and referred to the committee on ways and means.

By Mitchell—C. B. No. 52, "An act to prevent woman beating in the territory of Montana," was read first and second times and referred to the committee on towns and counties.

The following report was received:

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 6, "An act to amend section 529 of the fifth division of the revised statutes of Montana," also C. B. No. 32, "An act in relation to taxation of telegraph and telephone lines," beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., February 13, 1885.

Mr. President:

I am instructed to inform your honorable body that the house concurs in the council amendments to H. B. No. 50.

HARRY H. DAVIS, Chief Clerk.

C. B. No. 6 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Kennedy, Mr. President.—9.

Noes—DeWolfe, Mitchell.—2.

Absent—Morris.—1.

Title agreed to.

C. B. No. 32 was read a third time and on motion of Chessman was recommitted to the committee on ways and means for amendment.

On motion of Mitchell the council adjourned until 10 a. m. Monday.

DAVID MARKS, Chief Clerk.

THIRTY-SIXTH DAY.

COUNCIL CHAMBER,
Helena, M. T., Feb. 16, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of thirty-fourth day read and approved.

The following reports were received:

Mr. President:

Your committee on engrossment to whom was referred H. B. No. 16, "A bill for an act concerning the representation of quartz lodes" with amendments beg leave to report that they have examined the same and find the amendments correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 26, "An act to amend chapter 4 of title 6, and chapter 4 of title 10 of code of civil procedure," also C. B. No. 40, "An act to amend section 428 of the first division of the revised statutes," beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Chessman gave notice as follows:

Mr. President:

I hereby give notice that I will on to-morrow or some subsequent day ask leave to introduce a bill for an act to amend an act entitled an act to incorporate the city of Helena, approved February 22, 1881.

Fergus introduced C. B. No. 53, "An act concerning penalties for crime," was read first and second times and referred to the committee on judiciary.

On motion of Morris, Mitchell was excused for the day.

Chessman moved a call of the house. A call was had.

Absent—Buck, Cotant, DeWolfe.

Absent on leave—Mitchell.

The sergeant-at-arms was instructed to bring in the absentees.

The absentees having appeared and answered to their names a further call was dispensed with.

H. B. No. 16 was read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Mitchell.—1.

Title agreed to.

The following communication was received:

HOUSE OF REPRESENTATIVES,
HELENA, M. T., February 14th, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Kohrs—"A bill to apply certain money to the payment of the bonds of Deer Lodge and Silver Bow counties."

By Robinson—"A bill for the suppression of dance houses, commonly known as hurdy houses."

By Norton—"A bill entitled an act concerning that portion of the Crow reserve adjacent to the county of Yellowstone."

By Baldwin—"A bill for an act to amend section 116 and to repeal section 300 of the first division of the revised statutes of Montana."

That bills and resolutions were introduced as follows:

By Kohrs—H. B. No. 69, "A bill for an act concerning licenses."

Also H. B. No. 70, "An act to provide for the payment of damages to stock, and from fires occasioned by operating railroads."

By Page—H. J. R. No. 10, "In reference to the maps of Montana territory."

That H. B's Nos. 8 and 68 have passed the house and are herewith transmitted.

That H. B. No. 31 has been reported correctly engrossed and is herewith transmitted.

That Mr. Speaker announced the signing of H. B's Nos. 19, 29 and 49 and substitutes for H. B's Nos. 24 and 32.

HARRY H. DAVIS, Chief Clerk.

Substitute for H. B. No. 31, "A bill for an act to amend an act concerning fees of jurors in civil cases, approved February 21, 1881," was read first and second times and referred to the committee on judiciary.

Substitute for H. B. No. 8, "A bill for an act to define the duties of county commissioners and treasurers," was read first and second times and referred to the committee on ways and means.

H. B. No. 68, "An act to provide for the support and maintenance of the Philipsburg fire department," was read first and second times and referred to the committee on towns and counties.

C. B. No. 26 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Kennedy, Morris, Mr. President.—10.

Noes—None.

Absent—DeWolfe. Absent on leave—Mitchell.—2.

Title agreed to.

C. B. No. 40 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Kennedy, Morris, Mr. President.—10.

Noes—None.

Absent on leave—Mitchell. Absent—DeWolfe.—2.

Title agreed to.

Buck gave notice of the introduction of bills as follows:

"An act to facilitate the service of process upon personal prpoerty and the transfer thereof in certain cases."

Also "An act requiring sellers of live stock to give bill of sale."

On motion of Kennedy the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.
Absent on leave—Mitchell.

The following reports were received:

Mr. President:

The judiciary committee to which was referred C. B. No. 53 recommend that section 1 be amended in the first line so as to read "In all cases of conviction for felony," and when so amended recommend that it pass.

DeWolfe, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 37, "An act amending an act providing for municipal corporations." have had the same under consideration and report the bill back without any recommendation.

Cardwell, Chairman.

On motion of Morris the amendments to C. B. No. 53 were adopted and the bill placed on general orders.

C. B. No. 37 was placed on the general orders.

Buck introduced C. B. No. 54, "An act to ratify and validate certain bonds issued by the county of Choteau to erect a court house and jail."

Read first and second times and referred to the committee on towns and counties.

The council resolved itself into committee of the whole for the consideration of general orders.

DeWolfe in the chair.

Council resumed.
Mr. President in the chair.

On motion of Greene the council adjourned until 10 o'clock a. m. to morrow.

DAVID MARKS, Chief Clerk.

THIRTY-SEVENTH DAY.

COUNCIL CHAMBER,
Helena, Montana, Feb. 17, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of thirty-sixth day read and approved.

The following reports were received:

Mr. President:

We your committee on incorporation, recommend that C. B. No. 50 do pass.

BUCK, Chairman.

Mr. President:

Your committee to whom was referred, council bill No. 48, An act for the relief of Josephus P. Martin, have had the same under consideration and report it back without any recommendation.

MORRIS, Chairman.

Mr. President:

Your committee on ways and means to whom was referred, C. B. No. 32, "In relation to taxation of telegraph and telephone lines," have had the same under consideration and beg leave to report the same back with the amendments attached to said bill and recommesd its passage as amended.

MORRIS, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 54, An act to ratifiy and validate certain bonds, issued

by the county of Choteau, to erect a court house and jail, have had the same under consideration, and report the same back with the recommendation that the bill do pass.

CARDWELL, Chairman.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, Montana, February 16, 1885.

To the Council:

I have the honor to inform the legislative council that I have this day signed C. B. No. 8, entitled "An act to amend section 184 of the first division of the revised statutes of Montana," and also C. B. No. 19, entitled "An act relative to bonds of clerks of courts."

Very Respectfully,
B. P. CARPENTER.

On motion of Chessman the amendments reported by the committee on ways and means to C. B. No. 32 were adopted and the bill was ordered engrossed.

The following report was received:

Mr. President:

The committee of the whole to which was referred C. B. No. 37, have instructed me to report it back with the recommendation that it do not pass.

S. DEWOLFE, Chairman.

Said committee have also had under consideration C. B. No. 53 and have instructed me to report it back with the recommendation that it be passed as amended.

S. DEWOLFE, Chairman.

C. B's Nos. 37 and 53 were ordered engrossed.

Notices of the introduction of bills were given as follows:

By Kennedy—A bill providing for the erection of an insane asylum for the territory of Montana.

By Cotant—A bill for an act to incorporate Miles City; also, "A bill for an act to prevent the branding of cattle during certain seasons of the year."

Bills were introduced as follows:

By DeWolfe—C. B. No. 55, "An act concerning the rights and liabilities of husband and wife," read first and second times and referred to the committee on judiciary.

By Buck—C. B. No. 56, "An act to enable the county of Choteau to pay a ballance due for the erection of a court house,"

Read first and second times and referred to committee on towns and counties.

Chessman introduced C. J. R. No. 4, "For the relief of Fisk Bros."

Which was read first and second times and referred to the committee on ways and means.

Council resolved itself into committee of the whole for the consideration of general orders.

Kennedy in the chair.

Council resumed.
Mr. President in the chair.

On motion of Chessman the council adjourned until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk

THIRTY-EIGHTH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 18, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called, quorum present.
Prayer by the chaplain.
Journal of thirty-seventh day read and approved.

A petition from citizens of Gallatin county asking the passage of H. B. No. 23 was read.

The following reports were received

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 37, "An act to amend an act entitled an act to provide for municipal corporations in the territory of Montana, approved Feb. 17, 1881," also C. B. No. 53, "A bill for an act concerning penalties for crime," beg leave to report that they have examined the same and fine them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your joint committee on enrollment beg leave to report that H. J. R. No. 5 was presented to the governor at 12:20, January 28, 1885.

MITCHELL, Chairman.

Mr. President:

Your committee on education and labor to whom was referred substitute for H. B. No. 38, "A bill for an act entitled an act to amend sections 504 and 506 of the fifth division, revised statutes of Montana territory," have had the same under consideration and beg leave to report the bill back with a recommendation that it pass.

MITCHELL, Chairman.

Mr. President:

The judiciary committee to which was referred C. B No. 47 recommend that the bill be passed as introduced.

Said committee have also had under consideration C. B. No. 49 and recommend the following amendments, and when so amended recommend its passage:

1st. Strike out the whole of section 1.

2d. Number section 2 section 1.

3d. Amend to read as follows:

Sec. 378. Whenever any person shall be sentenced to the punishment of death the court in which he was convicted, or the judge thereof, or a justice of the supreme court, or the governor of the territory, may suspend the execution of the sentence pending an appeal of the case to the supreme court of the territory, or in cases wherein an appeal is authorized, pending an appeal to the supreme court of the United States.

4th. Amend the title of the bill by striking out the figures 374 where they first occur.

Said committee have also had under consideration C. B. No. 55 and recommend its passage.

Said committee have also had under consideration C. B. No. 41 and recommend that it be not passed, the provisions of said bill being substantially contained in C. B. No. 55.

S. DEWOLFE, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 52, "An act to prevent woman beating in the territory of Montana," have had the same under consideration and beg leave to report the same back without any recommendation.

CARDWELL, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred H. B. No. 68, "An act to provide for the support and maintenance of the Philipsburg fire department," have had the same under consideration and report the same back with the recommendation that it do pass.

CARDWELL, Chairman.

On motion of DeWolfe the amendments offered to C. B. No. 49, by the judiciary committee, were adopted and the bill was ordered engrossed.

The following reports were received:

Mr. President:

Your committee of the whole house beg leave to report that they have had under consideration C. B's Nos. 48, 50 and 54, and would recommend that they do pass.

KENNEDY, Chairman.

Mr. President:

We, the members of your committee to whom was referred H. B. No. 23, "A bill for an act to suppress gambling," beg leave to report that they have examined the same and beg leave to report the same back with the recommendation that it do not pass.

GREENE.
BUCK.

Mr. President:

As member of the select committee, appointed to consider H. B. No. 23, I beg leave to report it back with amendments, and with the recommendation that as amended it do pass.

KENNEDY.

C. B's Nos. 48 and 54 were ordered engrossed.

On motion of Kennedy the rules were suspended and C. B. No. 50 was considered engrossed and placed on file for a third reading.

On motion of Kennedy H. B. No. 23, with the majority and minority reports of the special committee, were made a special order for 2 p. m. to-morrow.

Notices of the introductionof bills were given as follows:

Mr. President:

I hereby give notice that I will upon to-morrow or upon some subsequent day introduce a bill entitled "An act to amend section 62, chapter 4 of the fourth division of the revised statutes.

GREENE.

Mr. President:

I give notice that I will on to-morrow or at an early day introduce a bill to abolish the office of public administrator,

Also, a bill to repeal an act entitled "An act concerning road supervisors," approved Feb. 21, 1881.

Also, to repeal an act entitled "An act concerning the official terms of road supervisors," approved Feb. 22, 1881.

Also, to repeal sections 1071 and 1072 of the fifth division of the revised statutes and to amend section 1070.

Also, that I will introduce a bill providing for the appointment of road supervisors by the board of county commissioners of the respective counties, and defining the duties of road supervisors.

S. DEWOLFE.

Bills were introduced as follows:

By Armstrong—C. B. No. 57, "An act to repeal an act entitled an act concerning the fees of jurors in civil cases, approved Feb. 21, 1881," was read first and second times and referred to the committee on judiciary.

By Greene—"C. B. No. 58, "A bill for an act to incorporate the city of Billings," was read first and second times and referred to the committee on towns and counties.

C. B. No. 37 was read a third time and lost by the following vote:

Ayes—None.

Noes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

On motion on Mitchell the rules were suspended and C. B. No. 50 was read a third time by title and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None

Title agreed to.

C. B. No. 53 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

The following report was received:

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 32, "An act in relation to the taxation of telegraph and telephone lines," beg leave to report that they have examined the same and find it correctly engrossed.

CHESSMAN, Chairman.

C. B. No. 32 was read a third time and on motion of DeWolfe was recommitted to the committee on towns and counties.

The following communications were received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 16, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Perkins gave notice of the introduction of "A bill for an act in relation to fencing railroads and erection of cattle guards."

That bills were introduced as follows:

By Kohrs—H. B. No. 71, "An act to apply certain money to the payment of the bonds of Deer Lodge and Silver Bow counties."

By Robinson—H. B. No. 72, "A bill for an act to suppress hurdy houses and dances."

By Norton—H. B. No. 73, "An act concerning that portion of the Crow Indian reservation adjacent to Yellowstone county."

By Baldwin—H. B. No. 74, "A bill for an act to amend section 116 and to repeal section 300 of the first division of the revised statutes of Montana."

That H. B. No. 26 has passed the house and is herewith transmitted.

That Mr. Speaker announced the signing of H. B. No. 50.

That council resolution, proposing adjournment on Feb. 21, 1885, was indefinitely postponed, and council resolution, proposing a joint committee to examine the books of the territorial auditor and treasurer, was adopted.

HARRY H. DAVIS, Chief Clerk.

HOUSE OF REPRESENTATIVES.
Helena, Montana, February 17, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Wells—"A bill to amend section 1 of an act, approved Feb. 21, 1881, relating to the protection of fish in the streams of Montana."

By Potts—"A bill for an act to amend section 595, article 10, fifth division of the revised statutes of the territory of Montana."

Also, "A bill for an act to provide for the organization of the legislative assembly."

Bills were introduced as follows:

By Perkins—H. B. No. 75, "A bill for an act in relation to fencing railroads and erection of cattle guards."

By Tingle—H. B. No. 76, "A bill for an act to establish a hospital for the insane."

HARRY H. DAVIS, Chief Clerk.

The council resolved itself into committee of the whole for the consideration of general orders.

Chessman in the chair.

Council resumed.
Mr. President in the chair.

The president announced that he had signed H. B's Nos. 32, 19, 24, 29, 49 and 50.

On motion of Kennedy the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

The following reports were received:

Mr. President:

Your committee of the whole, to whom was referred C. B's Nos. 41 and 55, having considered the same, have directed me to report the bills back to council with the recommendation that the bills be recommitted to the judiciary committee.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole to whom was referred H. B. No. 68, "An act to provide for the support and maintenance of the Philipsburg fire department," having considered the same have directed me to report the bill back to the council with the accompanying amendments, and that as amended the bill do pass.

CHESSMAN, Chairman.

On motion of DeWolfe the reports were adopted.

On motion of Kennedy H. B. No. 68 amendments were considered engrossed and the bill was placed on file for a third reading.

A petition from citizens of Jefferson county praying for the passage of H. B. No. 23 was read.

A petition from citizens of Missoula county asking that the salary of county clerk of that county be increased, was read and referred to the committee on ways and means.

The following report was received:

Mr. President:

Your committee on towns and counties to whom was referred H. B. No. 33, "An act to create the county of Revallie," have had the same under consideration and beg leave to report the same back with the recommendation that it do not pass.

CARDWELL, Chairman.

On motion of Mitchell H. B. No. 33 was referred to a special committee consisting of Mitchell, Kennedy and Barrett.

DeWolfe gave notice as follows:

Mr. President:

I hereby give notice that I will on to-morrow or at an early day introduce a bill to repeal an act entitled "An act to provide for municipal corporations in the territory of Montana," approved Feb. 17, 1881.

Kennedy introduced C. B. No. 59, "An act to amend an act in relation to the fees of county clerks," was read first and second times and referred to the committee on ways and means.

H. B. No. 26, "A bill for an act regulating assessment life insurance companies," was read first and second times and referred to the committee on incorporations.

H. B. No. 68 was read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—Greene.—1.

Title agreed to.

On motion of Mitchell the council adjourned until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk.

THIRTY-NINTH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 19, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of thirty-eighth day read and approved.

Petitions and resolutions adopted by citizens of Silver Bow county, favoring the passage of H. B. No. 23 were read.

Petitions from various towns and cities in the territory relative to the passage of H. B. No. 23 were read.

The following reports were received:

Mr. President:

Your joint committee on enrollment beg leave to report that H. B's Nos. 19, 24, 29, 32, 49 and 50 were presented to the governor at 4 o'clock p. m. on February 18th, 1885.

MITCHELL, Chairman.

Mr. President:

Your committee on ways and means, to whom was referred C. B. No. 32. "An act in relation to the taxation of telegraph and telephone lines," have considered the same and beg leave to report same back with the amendments attached to said bill and recommend its passage as amended.

MORRIS, Chairman.

Mr. President:

Your committee on ways and means to whom was referred, substitute for H. B. No. 8, A bill for an act to define the duties of county commissioners and treasurers, have had the same under consideration and beg leave to report the bill back without any recommendation.

MORRIS, Chairman.

Mr. President:

Your committee on engrossment, to whom was referred C. B. No. 48, "An act for the relief of Josephus P. Martin."

Also, C. B. No. 54, "An act to ratifiy and validate certain bonds issued by the county of Choteau to erect a court house and jail," beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on grazing and stock growing have had under consideration C. B. No. 24, An act to provide for the posting of estrays in the territory, and would recommend its passage with the following amendments:

Strike out the word "immediately," in line four of section two, and insert in lieu thereof the words "within ten days."

Strike out from section six all that part following and including the word "provided" in line nine of said section six.

Add to the bill the following section:

"Section 10. No person taking up an estray under the provisions of this act shall be permitted to use said estray for any purpose."

COTANT, Chairman.

Mr. President:

Your committee on grazing and stock growing to whom was referred H. B. No. 52, have had the same under consideration, and beg leave to report the same back with the recommendation that it do pass.

COTANT, Chairman.

Mr. President:

Your committee on towns and counties, to whom was referred C. B. No. 58, An act to incorporate the city of Billings, have had the same under consideration and report the bill back with the recommendation that it do pass.

CARDWELL, Chairman.

On motion of DeWolfe the amendments offered to C. B. No. 32 by the committee on ways and means, were adopted and the bill was ordered engrossed.

On motion of Barrett the amendments offered to C. B. No. 24 by the committee on grazing and stock growing, were adopted and bill ordered engrossed.

The following reports were received:

Mr. President:

Your committee of the whole, to whom was referred C. B's Nos. 47, 49 and 52, have had the same under consideration and have directed me to report the bills back to the council with the recommendation that they do pass.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole to whom was referred H. B No. 38, "An act to amend sections 504 and 506 of the fifth division, revised statutes of Montana," have considered the same and have directed me to report the bill back to the council with the recommendation that it do pass.

CHESSMAN, Chairman.

C. B's Nos. 47, 49, and 52 were ordered engrossed.

Bills were introduced as follows:

By Greene—C. B. No. 60, An act to enable the county of Yellowstone to build a court house."

Read first and second times and referred to the committee on towns and counties.

By Buck—C. B. No. 61, "A bill for an act requiring all persons selling or giving away certain live stock to give bill of sale."

Read first and second times and referred to the committee on grazing and stock growing.

By Cotant—C. B. No. 62, "A bill for an act to prevent the branding of cattle during certain seasons of the year."

Was read first and second times and referred to the committee on grazing and stock growing.

By Greene—C. B. No. 63, An act to amend section 62 of chapter 4 of the fourth division of the revised statutes."

Was read first and second times and referred to the committee on judiciary.

Greene introduced C. J. M. No. 2 "To the president of the United States, concerning Cheyenne Indian reservation."

Read first and second times and was referred to the committee on public lands.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 18, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Wells—"A bill for an act entitled an act to incorporate the city of Dillon."

By Page—"A bill for an act to amend section 206 of the fourth division of the revised statutes of Montana."

By Fisk—"A bill for an act concerning the jurisdiction of justices of the peace in criminal cases."

Bills were introduced as follows:

By Potts—H. B. No. 77, "A bill for an act to provide for the organization of the legislative assembly."

By Wells—H. B. No. 78, "A bill for an act entitled an act relating to the registration and qualification of voters."

H. B's Nos. 1, 13, 14, 46, 56, 63 and 64 have passed the house and are herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

Substitute for H. B. No. 1, "An act relating to notaries public," was read first and second times and referred to the committee on judiciary.

H. B. No. 64, "A bill for an act to prevent and punish indecent exposure of the person," was read first and second times and referred to the committee on roads and highways.

H. B. No. 13, "An act for the protection of household servants," was read first and second times and referred to the committee on education and labor.

H. B. No. 46, "A bill for an act to amend sections 87 and 92 of the first division, code of civil procedure of the revised statutes of Montana," was read first and second times and referred to the committee on judiciary.

Substitute for H. B. No. 14, "A bill for an act entitled an act relating to the study of physilogy and hygene in the public schools," was read first and second times and referred to the committee on education and labor.

H. B. No. 56, "A bill for an act to enable the county commissioners of Custer county to fund the county indebtedness," was read first and second times and referred to the committee on towns and counties.

H. B. No. 63, "A bill for an act to amend section 586 article 2 chapter 22 of the fifth division, revised statutes of the territory of Montana," was read first and second times and referred to the committee on ways and means.

Substitute for H. B. No. 38, was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

C. B. No. 54 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

C. B. No. 48 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.
Noes—None.

Title agreed to.

The council resolved itself into committee of the whole for the consideration of general orders.

Mitchell in the chair.

Council resumed.
Mr. President in the chair.

On motion of Kennedy the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

A petition from citizens of Lewis and Clarke county asking that action upon H. B. No. 23 be postponed until Monday of next week, was read.

Kennedy moved a call of the house.

A call was had.

Absent—Cotant.

The sergeant-at-arms was instructed to bring in the absentee.

The absentee having appeared and answered to his name, a further call was dispensed with.

The hour having arrived for which H. B. No. 23, was made a special order.

The council resolved itself into committee of the whole for its consideration.

Mitchell in the chair.

Council resumed.
Mr. President in the chair.

The following communication was received:

HOUSE OF REPRESENTATIVES,
HELENA, M. T., February 19th, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Forbis gave notice of "A bill for an act to provide for the construction of the Montana penitentiary."

H. B. No. 3 and C. B. No. 25, have passed the house, and the same are herewith transmitted.

Mr. Speaker appointed as the committee to act with the committee from the council in auditing the books and accounts of the territorial treasurer and auditor, Biddle, Seligman and Sloan.

HARRY H. DAVIS, Chief Clerk.

On motion of Mitchell the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

FORTIETH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 20, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of thirty-ninth day read and approved.

The following reports were received:

Mr. President:

Your committee on ways and means to whom was referred C. B. No. 51, "An act in relation to the presentation and auditing accounts by county commissioners," have had the same under consideration and beg leave to report it back with the recommendation that it do pass.

MORRIS, Chairman.

Mr. President:

The committee of the whole having under consideration H. B. No. 23, "An act to suppress gambling," having had the same under consideration have instructed me to report the bill back with the recommendation that the same be referred to a select committee of three to be appointed by the chair.

MITCHELL, Chairman.

On motion of Mitchell the report was adopted and in conformity thereto the chair appointed Chessman, Mitchell and Buck.

The chair, in conformity with the joint resolution providing for a joint committee to examine the books of the territorial auditor and treasurer, appointed as such committee on the part of the council, Morris, Fergus and Kennedy.

Buck introduced C. B. No. 64, "A bill for an act to facilitate the service of process upon personal property and transfer thereof in certain cases," was read first and second times and referred to the committee on judiciary.

The following reports were received:

Mr. President:

Your committee on engrossment to whom was referred C. B's Nos. 32,47,49 and 52, beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on ways and means to whom was referred H. B. No. 63, "A bill for an act to amend section 586, article 2, chapter 22 of fifth division, revised statutes," have duly considered the same and beg leave to report it back with the recommendation that it do pass.

MORRIS, Chairman.

On motion of Morris the council concurred in house amendments to C. B. No. 25 and the bill was ordered enrolled.

H. B. No. 3, "A bill for an act to punish and suppress prize fighting in the territory of Montana," was read first and second times and referred to the committee on judiciary.

The following report was received:

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 56, entitled "An act to enable the county of Choteau to pay a balance due for the erection of a court house," have had

the same under consideration and beg leave to report the bill back with the recommendation that it do pass.

CARDWELL, Chairman.

C. B. No. 32 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

C. B. No. 47 was read a third time and lost by the following vote:

Ayes—Buck, Chessman, Cotant, DeWolfe, Mitchell.—5.

Noes—Barrett, Cardwell, Fergus, Greene, Kennedy, Morris, Mr. President.—7.

C. B. No. 49 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—Fergus—1.

Title agreed to.

C. B. No. 52 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris.—10.

Noes—Cardwell, Mr. President.—2.

Title agreed to.

The council resolved itself into a committee of the whole for the consideration of general orders.

Cardwell in the chair.

Council resumed.
Mr. President in the chair.

On motion of Kennedy the council took a recess until 2 p. m.

Two p. m.
Council resumed.
Mr. President in the chair.
Roll called—quorum present.

A petition from the Independent Publishing Company, asking the passage of a law concerning penalties for non-performance of contracts concerning certain printing, was read and referred to the committee on ways and means.

The following reports were received:

Mr. President:

Your joint committee on enrollment beg leave to report that H. B's Nos. 19, 24, 29, 32, 49 and 50 are correctly enrolled.

MITCHELL, Chairman.

Mr. President:

Your committee of the whole to whom was referred certain bills, having considered the same have instructed me to report the same back with the following recommendations:

Substitute for H. B. No. 8 without recommendation.

C. B. No. 58 with a recommendation that it do pass.

H. B. No. 52 to be referred to the judiciary committee for amendment.

And C. B. No. 24 with amendments to the committee on printing.

MITCHELL, Chairman.

Mr. President:

Your committee of the whole to whom was referred C. B. No. 51, H. B. No. 63 and C. B. No. 56, have considered the same and instructed me to report said bills back with the recommendation that they do pass.

CARDWELL, Chairman.

Mr. President:

Your select committee to whom was referred H. B. No. 33, "An act to create the county of Ravalli," having amended the same beg leave to report the bill back as amended without recommendation.

MITCHELL, Chairman.

On motion of Kennedy the rules were suspended, C. B. No. 58 was considered engrossed and placed on file for a third reading.

C. B's Nos. 51 and 56 were ordered engrossed.

On motion of Mitchell the amendments reported by special committee to H. B. No. 33 were adopted and the bill placed upon general orders.

Substitute for H. B. No. 8 was read a third time and lost by the following vote:

Ayes—None.

Noes—Barrett, Buck, Cardwell, Chessman, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Absent—Cotant.—1.

H. B. No. 63 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

On motion of Mitchell the rules were suspended and C. B. No 58 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None

Title agreed to.

The council resolved itself into committee of the whole for the consideration of general orders.

Buck in the chair.

Council resumed.
Mr. President in the chair.

On motion of Cardwell the council adjourned until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk.

FIFTY-FIRST DAY.

COUNCIL CHAMBER,
Helena, Montana, February 21st, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of fortieth day read and approved.

A petition from citizens of Anaconda, praying for the passage of an act relative to a fire department was read and referred to the committee on towns and counties.

On motion of Fergus, Cotant was excused for the day.

The following reports were received:

Mr. President:

The judiciary committee has had under consideration H. B. No. 46 and instructed me to report it back with the recommendation that it do not pass.

S. DEWOLFE, Chairman.

Mr. President:

The judiciary committee has had under consideration C. B. No. 63 and instructed me to report it back with the recommendation that it pass.

S. DEWOLFE, Chairman.

Mr. President:

The judiciary committee has had under consideration C. B. No. 55 and instructed me to report it with the accompanying amendments, and when so amended, recommend that that it do pass.

S. DEWOLFE, Chairman.

Mr. President:

Your committee of the whole house have had under consideration H. B. No. 33 creating the county of Ravalli, and have instructed me to report the bill back with the recommendation that it do not pass.

BUCK, Chairman.

On motion of Mitchell the amendments to C. B. No. 55 were adopted and the bill was ordered engrossed.

Kennedy moved to suspend the rules, consider amendments to H. B. No. 33, engrossed and placed on file for a third reading.

Motion lost.

Mitchell gave notice as follows:

Mr. President:

I give notice that on to-morrow or some subsequent day, I will introduce a bill for "An act to provide for the support and maintenance of a fire department in Anaconda.

Chessman introduced C. B. No. 65, "An act to apportion the members of the legislative assembly," was read first and second times and referred to the committee on printing.

The council resolved itself into a committee of the whole for the consideration of general orders.

Kennedy in the chair.

Council resumed.
Mr. President in the chair.

Mitchell by unanimous consent introduced without having given previous notice C. B No. 66, "An act to provide for the incorporation of villages in the territory of Montana," was read first and second times and referred to the committee on incorporations.

The following reports were received:

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 51, "An act in relation to the presentation and auditing accounts by county commissioners."

Also C. B. No. 56, "An act to enable the county of Choteau to pay a balance due for the erection of a court house," beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole house have had under consideration H. B. No. 46, An act to amend sections 87 and 92 of the code of civil procedure, revised statutes of Montana territory, beg leave to report it back with the recommendation that it do not pass.

Your committee has also had under cousideration C. B. No. 63 and beg leave to report it back with the recommendation that it do pass.

KENNEDY, Chairman.

C. B. No. 63 was ordered engrossed.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., February 20, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Nichols—"A bill entitled an act to amend an act entitle an act to incorporate the town of Bozeman, approved March 7, 1883."

By Perkins—"A bill for an act to amend section 349 of the fifth division of the revised statutes of Montana."

Bills were introduced as follows:

By Page—H. B. No. 79, "A bill for an act to amend section 206 of the fourth division of the revised statutes of Montana.

By Fisk—H. B. No. 80, "A bill for an act to amend an act concerning the jurisdiction of courts in criminal cases, approved February 16th, 1881."

HARRY H. DAVIS, Chief Clerk.

On motion of Mitchell the council adjourned until 10 a. m. Monday.

DAVID MARKS, Chief Clerk.

FORTY-THIRD DAY.

COUNCIL CHAMBER,
Helena, M. T., Feb. 23, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.

On motion of Morris, Mitchell was excused for the day.

Journal of forty-first day read and approved.

A petition from citizens of Fish Creek. praying for the passage of H. B. No. 23, was read.

The following reports were received

Mr. President:

The judiciary committee, to which was referred C. B. No. 57, have had said bill under consideration and recommend its passage.

S. DEWOLFE, Chairman.

Mr. President:

Your committee on printing, to whom was referred C. B. No. 24, beg leave to report back the bill as correctly printed.

KENNEDY, Chairman.

C. B. No. 24 was ordered engrossed.

Bills were introduced as follows:

By DeWolfe—C. B. No. 67, "An act in relation to road taxes and to repeal sections 1070 to 1076 inclusive, and 1078 of the fifth division of the revised statutes," was read first and second times and referred to the committee on roads and highways.

Also, C. B. No. 68, "An act to repeal an act providing for the election of public administrator," was read first and second times and referred to the committee on judiciary.

Also, C. B. No. 69, "A bill for an act for the appointment of road supervisors and defining their duties," was read first and second times and referred to the committee on roads and highways.

H. B. No. 46 was read a third time and lost by the following vote:

Ayes—None.

Noes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—11.

Absent on leave—Mitchell.—1.

The following reports were received:

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 55, "An act concerning the rights and liabilities of husband and wife," also C. B. No. 63, "An act to amend section 62 of chapter 4 of the fourth division of the revised statutes," beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on engrossment to whom was referred H. B. No.

33, "An act to create the county of Ravalli," with amendments, beg leave to report that they have examined the same and find the amendments correctly engrossed.

CHESSMAN, Chairman.

On motion of Morris the rules were suspended, H. B. No. 33 was read a third time by title and lost by the following vote:

Ayes—None.

Noes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—11.

Absent on leave—Mitchell,—1.

C. B. No. 51 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Mitchell,—1.

Title agreed to.

C. B. No. 55 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Mitchell,.—1.

Title agreed to.

C. B. No. 56 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Mitchell.—1.

Title agreed to.

C. B. No. 63 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Mitchell.—1.

Title agreed to.

On motion of Kennedy the council went into executive session with closed doors.

Council resumed with open doors and the clerk was instructed to note upon the journal that the council in executive session had confirmed the following nominations of the governor for notaries public.

BEAVERHEAD COUNTY.

Charles W. Turner.....Glendale
Fielding L. Graves.....Bannack
Dan F. Chapman.....Dillon
Otto Klemm..... "
Judson R. Holden..... "
Jay Wells..... "
Richard Z. Thomas.....Glendale
George French.....Argenta

CHOTEAU COUNTY.

Henry A. Kennerly.....Perrysburgh
Hiram D. Upham.....Birch Creek

CUSTER COUNTY.

Ralph C. Webster.....Miles City
Abraham M. LeRoy..... "
Wm. E. Buckman.....Fort Keogh

DAWSON COUNTY.

Wm. E. Lonergen.....Glendive
James G. Ramsay..... "
Peter Gallagher..... "

DEER LODGE COUNTY.

John R. Eardley.....Willow Glen
Wm. A. Akers.....Philipsburg
Robert M. Ferguson.....New Chicago
Charles Pryse.....McClellan Gulch
Charles G. Birdseye.....Blackfoot

GALLATIN COUNTY.

Frank L. Gilchrist.....Bozeman
Henry T. Ceperley.....Livingston
George W. Sutton.....Bozeman
David J. Kennelly.....Livingston
John Potter.....Moreland
Randall W. Hanson.....Livingston

JEFFERSON COUNTY.

John J. Kerr.....Boulder Valley
Theodore Fuhrken.....Elkhorn
Oscar H. Davey.....Fish Creek

LEWIS AND CLARKE COUNTY.

Wm. M. Dolliver.....Helena
James B. Wells..... "
Nicholas Hilger..... "
Thomas G. Woods.....Florence
John J. Fallon.....Helena
Alonzo E. Bunker..... "
Stephen E. Atkinson..... "
George F. Borie..... "
Charles H. Snell..... "
Ira H. Stiteler.....Marysville
Harry H. Davis.....Helena
John W. Eddy..... "
Lucien F. LaCroix..... "
Robert P. Walker.....Sun River
Haden E. Riddle.....Helena
Francis Pope..... "

MEAGHER COUNTY.

Henry Whaley.....Canton
John E. Murray.....Martinsdale
Albert E. Pound..... "
John Toombs.....Lewiston
Arthur Maritz.....Diamond City
James H. Moe.....White Sulphur Springs
Alfred M. Esler.....Maiden
Will H. Sutherlin.....White Sulphur Springs
John M. Gray..... " "
Michael C. Larkin.....Kibbey

SILVER BOW COUNTY.

Daniel Searles.....Butte City
Francis T. McBride..... "
Frederick C. Webster..... "
John Eddy..... "
John C. C. Thornton..... "
James W. Kemper..... "
Joseph H. Harper..... "
Charles S. Eltinge..... "
Joseph A. Hyde..... "
Wm. B. Gaffney.....Melrose

YELLOWSTONE COUNTY.

Fred Sweetman.....Billings
John D. Matheson..... "
Walter Matheson..... "
James A. Church..... "
Philip D. Mickel..... "
Fletcher Goddard..... "
Singleton Buford.....Junction City
Burns Smith..... "
Lucius Whitney.....Billings
Harry L. Richardson..... "

On motion of Cardwell the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

FORTY-FOURTH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 24, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called, quorum present.
Prayer by the chaplain.
Journal of forty-third day read and approved.

The following reports were received:

Mr. President:

The judiciary committee to which was referred H. B. No. 52, reports it back and recommends its passage.

S. DEWOLFE, Chairman.

Mr. President:

The judiciary committee to which was referred substitute for H. B. No. 1, "An act relating to notaries public," recommend the accompanying amendments and when so amended recommends its passage.

S. DeWolfe, Chairman.

Mr. President:

The judiciary committee to which was referred H. B. No. 3, have had it under consideration and recommend the accompanying amendments and when so amended recommends its passage.

S. DeWolfe, Chairman.

On motion of Kennedy the amendments offered to H. B. No. 1 were adopted and the bill was placed on general orders.

On motion of Kennedy the amendments offered to H. B. No. 3 were adopted.

On motion of DeWolfe the engrossing clerk was instructed to engross H. B. No. 3 as amended for convenience of the members.

The following communications were received:

House of Representatives,
Helena, Montana, February 21, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Taylor—"A bill for an act providing fees for jurors in insane inquests."

Also—"A bill for an act to amend section 961 of the fifth division of the revised statutes of Montana."

By Potts—"A bill for an act authorizing the deposit of public nds in banks."

Bills were introduced as follows:

By Seligman—H. B. No. 81, "A bill for an act concerning dower."

By Perkins—H. B. No. 82, "An act to amend section 349 of the fifth division of the revised statutes of Montana."

C. B. No. 34 as amended, has passed the house and the same is herewith transmitted.

The house concurred in council amendments to H. B. No. 68.

The governor has notified the house of the signing of H. B. No. 24.

H. B. No. 49 has been returned by the governor, without his signature, and his objections thereto.

The vote by which the bill was passed was reconsidered, the question being put "shall this bill pass the objections of the governor to the contrary notwithstanding?" The bill failing to receive a vote equal to two-thirds, was declared lost.

HARRY H. DAVIS, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 23, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that bills were introduced as follows:

By Taylor—H. B. No. 83, "A bill for an act an act providing fees for jurors in insane inquests."

Also—H. B. No. 84, "A bill for an act to amend section 961 of the fifth division of the revised statutes of Montana."

By Nichols—H. B. No. 85, "An act to amend an act entitled an act to incorporate the town of Bozeman, approved March 7, 1883.

That C. B. No. 42 is herewith returned with the request that it be properly engrossed.

H. B's Nos. 20, 71, 86, and H. J. R. No. 8, have passed the house, and the same are herewith transmitted.

Mr. Speaker announced the signing of H. B's Nos. 16 and 68.

That the council is asked to reconsider the vote by which it passed H. B. No. 63, in order that such bill may be amended to avoid the objections urged by the governor to certain sections therein, and that if such vote is so reconsidered, that the bill be returned.

HARRY H. DAVIS, Chief Clerk.

On motion of Chessman C. B. No. 34 with house amendments thereto, were referred to the committee on judiciary.

H. B. No. 20, "An act to organize and regulate the militia," was read first and second times and referred to the committee on military affairs.

H. B. No. 71, "An act to apply certain money to the payment of the bonds of Deer Lodge and Silver Bow counties," was read first and second times and referred to the members from Deer Lodge and Silver Bow counties.

H. B. No. 86, "A bill for an act to amend section 89, article 2, fifth division, revised statutes of the territory of Montana, and for other purposes," was read first and second times.

Kennedy moved that the rules be suspended and that H. B. No. 86 be placed on the calendar for third reading.

Mitchell rose to a point of order, viz:

That inasmuch as the governor had vetoed H. B. No. 49, a bill of the same nature of H. B. No. 86, and that inasmuch as the house failed to pass the bill notwithstanding the objections of the governor, that according to our joint rules, a bill of the same nature could not again be introduced without having first given five days notice.

The chair decided the point well taken.

Kennedy appealed from the decision of the chair.

The question being put "shall the decision of the chair be sustained?"

The council refused to sustain the decision.

The motion of Kennedy prevailed.

H. J. R. No. 8, "For placing insurance on the Montana Law Library," was read first and second times and referred to the committee on ways and means.

H. B. No. 52 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—11.

Noes—None.

Excused—Mitchell.—1.

Title agreed to.

H. B. No. 86 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

The president announced that he had signed H. B's Nos. 16 and 68.

The council resolved itself into a committee of the whole for the consideration of general orders.
Greene in the chair.

Council resumed.
Mr. President in the chair.

On motion of Kennedy the vote by which H. B. No. 63 passed the council was reconsidered.

On motion of Morris the clerk was instructed to transmit the bill to the house and inform them of its reconsideration.

On motion of Greene the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

FORTY-FIFTH DAY.

COUNCIL CHAMBER,
Helena, Montana, Feb. 25, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of forrty-fourth day read and approved.

The following reports were received:

Mr. President:

The committee on roads and highways, to which was referred C. B. No. 69 has instructed me to report it back with the accompanying amendments, and when so amended with the recommendation that it pass.

S. DEWOLFE, Chairman.

Mr President:

The committee on roads and highways to which was referred C. B. No, 45 has instructed me to report it back with the accompanying amendments, and when so amended with the recommendation that it pass.

S. DEWOLFE, Chairman.

Mr. President:

The committee on roads and highways to which was referred H. B. No. 64 have instructed me to report it back to the council without recommendation.

S. DEWOLFE, Chairman.

Said committee have also had under consideration C. B. No. 67 and recommend the following amendments, and when so amended recommend its passage.

1st. Add the following words at the end of section 1:

Provided, that nothing herein shall be deemed or construed to conflict with or repeal an act entitled "An act to provide for the levy and collection of street taxes in incorporated towns and cities," approved March 7, 1883.

S DEWOLFE, Chairman.

Mr. President:

Your committe on printing to which was referred C. B. No. 65, "An act to apportion the members of the legislative assembly," beg leave to report the bill back correctly printed.

KENNEDY, Chairman.

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 24, "An act to provide for the posting of estrays in this territory," beg leave to report that they have examined the same and find it correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on education and labor to whom was referred H. B. No. 47 beg leave to report the same back with a recommendation that it do not pass.

MITCHELL, Chairman.

Mr. President:

Your committee on enrollment beg leave to report that C. B. No. 25 is correctly enrolled.

MITCHELL, Chairman.

Mr. President:

Your committee on ways and means to whom was referred H. J. R. No. 8, for placing insurance on the Montana law library, have had the same under consideration and report it back recommending its passage.

MORRIS Chairman.

Mr. President:

Your committee on incorporations, reporting on H. B. No. 26, suggest the following amendments thereto and recommend that as amended it do pass.

H. R. BUCK, Chairman.

Mr. President:

Your committee on grazing and stock growing to whom was referred C. B. No. 62, have had the same under consideration and beg leave to report the same back with the accompanying amendments, and as amended recommend the passage of the bill.

COTANT, Chairman.

Mr. President:

Your committee on grazing and stock growing to whom was referred C. B. No. 61 have had the same under consideration and beg leave to report the same back with the accompanying amendments, and as amended recommend the passage of the bill.

COTANT, Chairman.

On motion of Chessman the amendments offered by the judiciary committee to C. B. No. 69 were adopted and the bill placed on general orders.

On motion of Cardwell the amendments offered by the judiciary committee to C. B. No. 45 were adopted and the bill was placed on the general orders.

On motion of Kennedy the amendments offered by the judiciary committee to C. B. No. 67 were adopted and the bill was placed upon the general orders.

C. B. No. 65 was referred to the committee on towns and counties.

On motion of Barrett the reports of the committee on grazing and stock growing to C. B's Nos. 61 and 62 were adopted and the bills were placed on the general orders.

On motion of DeWolfe the amendments offered by the committee on incorporations to H. B. No. 26 were adopted and the bill was placed on the general orders.

H. J. R. No. 8, H. B's Nos. 47 and 64 were placed on the general orders.

The following report was received:

Mr. President:

Your committee of the whole to whom was referred C. B. No. 57, "An act to repeal an act entitled an act concerning fees of jurors in civil cases, approved Feb. 21, 1881," and substitute for H. B. No. 1, "An act relating to notaries public," having had the same under consideration have instructed me to return the same with the recommendation that they do pass.

GREENE, Chairman.

C. B. No. 57 and the amendments to substitute to H. B. No. 1 were ordered engrossed.

Notices of the introduction of bills were given as follows:

By Kennedy—"A bill requiring the publication of certain matters."

By Greene—"A bill entitled an act to amend section 447, fifth division of general laws of Montana."

Also, "A bill entitled an act for the protection of hotel keepers."

Cotant introduced C. B. No. 70, "A bill for an act to incorporate the city of Miles," which was read first and second times and referred to the committee on towns and counties.

Kennedy introduced C. J. M. No. 3, "Concerning the United States penitentiary in Montana," which was read first and second times and referred to the committee on federal relations.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 24, 1885.

Mr. President:

I am instructed by the house to return herewith to your honorable body C. B. No. 50 for proper engrossment.

HARRY H. DAVIS, Chief Clerk.

C. B. No. 50 was ordered engrossed.

C. B. No. 24 was read a third time and on motion of Kennedy the bill was recommitted to the committee on grazing and stock growing.

The council resolved itself into a committee of the whole for the consideration of general orders.

Chessman in the chair.

Council resumed.
Mr. President in the chair.

Greene asked for leave to introduce C. B. No. 71, "A bill for an act concerning the meeting of the board of county commissioners," without having given previous notice.

On motion of Kennedy leave was granted.

C. B. No. 71 was read first and second times and on motion of Kennedy the rules were suspended, the bill wus considered engrossed and placed on the calendar for a third reading.

On motion of Morris the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

The following reports were received:

Mr. President:

Your committee of the whole, to whom was referred H J. R. No. 8, "For placing insurance on the Montana law library," having considered the same have directed me to report the resolution back to the council with the recommendation that it do pass.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole to whom was referred H. B No. 3, "A bill for an act to punish and suppress prize fighting in the territory of Montana," with amendments, have considered the same and have instructed me to report the same back to the council with the recommendation that the bill as amended do pass.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole to whom was referred H. B. No. 64, "A bill for an act to prevent and punish indecent exposure of the person," having considered the same have directed me to report the bill back to the council with the recommeddation that the bill do not pass.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole to whom was referred C. B. No. 67, "An act in relation to road taxes and to repeal sections 1070 to 1076 inclusive, and 1078 of the fifth division of the revised statutes," with amendments, having considered the same have directed me to report the same back to the council with the recommendation that as amended the bill do pass.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole, to whom was referred C. B. No. 45, "A bill for an act authorizing county commissioners to award contracts for keeping roads in repair," with amendments, have considered the same and have directed me to report the bill back to the council with the recommendation that as amended it do pass.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole to whom was referred C. B. No. 69, "A bill for an act for the appointment of road supervisors and defining their duties," with amendments, have considered the same and have directed me to report the bill back to the council with the recommendation that as amended the bill do pass.

CHESSMAN, Chairman.

On motion of Chessman the amendments to C. B. No. 67 were adopted and the bill was ordered engrossed.

C. B's Nos. 45 and 69 were ordered engrossed.

The following report was received:

Mr. President:

Your committee on public lands, to whom was referred C. J. M. No. 2, concerning the Cheyenne Indian reservation, have duly considered the same, beg leave to report it back with the recommendation that it do pass.

M. BARRETT, Chairman.

C. J. M. No. 2 was placed upon the general orders.

Mitchell introduced C. B. No. 72, "A bill for an act to provide for the support and maintenance of the Anaconda fire department."

Read first and second times and referred to the committee on towns and counties.

H. J. R. No. 8 was read a third time.

DeWolfe, by unanimous consent, amended the resolution.

The resolution passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

The following report was received:

Mr. President:

Your committee of the whole to whom was referred C. B. No. 61 "A bill for an act requiring all persons selling or giving away certain live stock, to give bill of sale," have considered the same and have directed me to report the bill back to the council with the recommendation that the bill be recommitted to the committee on grazing and stock growing.

CHESSMAN, Chairman.

On motion of Chessman the report was adopted.

H. B. No. 64 was read a third time and lost by the following vote:

Ayes—Chessman, Greene, Kennedy, Morris,—4.

Noes—Barrett, Buck, Cardwell, Cotant, DeWolfe, Fergus, Mitchell, Mr. President.—8.

H. B. No. 3 was read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Greene, Kennedy, Morris, Mr. President.—10.

Noes—Fergus. Mitchell,—2.

Title agreed to.

C. B. No. 71 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

The council resolved itself into committee of the whole for the consideration of general orders.

Morris in the chair.

Council resumed.
Mr. President in the chair.

The president announced the signing of C. B. No. 25.

The ways and means committee introduced C. B. No. 73, "An act to amend sections 1026 and 1029 of the fifth division of the revised statutes."

Read first and second times and referred to the committee on judiciary.

On motion of Morris the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

FORTY-SIXTH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 26, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of forty-fifth day read and approved.

The following reports were received:

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 72, A bill for an act to provide for the support and maintenance of the Anaconda fire department, have had the same under consideration, and beg leave to report the same back with the recommendation that it do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on education and labor, to whom was referred C. B No. 38, A bill for an act to amend an act entitled an act to establish a series of text books for the public schools," approved February 23d, 1881, beg leave to report the bill back with amendments and as amended recommend that it do pass.

MITCHELL, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 70, An act to incorporate the city of Miles, have had the same under consideration and report the bill back with the recommendation that it do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 57, An act to repeal an act concerning the fees of jurors in civil cases, approved February 21st, 1881, beg leave to report the same correctly engrossed.

CHESSMAN, Chairman.

On motion of Greene the amendments offered by the committee on education and labor to C. B. No. 38 were adopted and the bill placed upon the general orders.

C. B's 70 and 72 were placed upon the general orders.

Bills were introduced as follows:

By Greene—C. B. No. 74, "An act to amend section 447, fifth division of the general laws of Montana"

Read first and second times and referred to committee on judiciary.

By Kennedy—C. B. No. 75, "An act regulating the publication of certain matters."

Read first and second times and referred to committee on printing.

The president announced the signing of H. B's Nos. 38, 52 and 86.

The following report was received:

Mr. President:

Your committee on engrossment to whom was referred "substitute for H. B. No. 1, An act relating to notaries public" with amend-

ments, beg leave to report that they have examined the same and find the amendments correctly engrossed.

CHESSMAN, Chairman.

The following communication was received:

HOUSE OF REPRESENTATIVES,
HELENA, M. T., February 25th, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Seligman—"A bill for an act to enable the county of jefferson to erect a jail."

By Jurgens—"A bill for an act to disestablish the county of jefferson and to aportion the territory of said county to and between the counties of Lewis and Clarke, Silver Bow and Gallatin."

By Page—"A bill for an act relating to fences."

The following bill was introduced:

By Potts—H. B. No. 87, "A bill for an act authorizing the deposit of public funds in banks."

Mr. Speaker announced the signing of H. B's 38, 52 and 86, and C. B. No. 25.

H B's Nos. 73, 84 and 45, and C. B. No. 71, have passed the house and are herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

C. B. No. 71 was ordered enrolled.

H. B. No. 73, An act concerning that portion of the Crow Indian reservation adjacent to Yellowstone county," was read first and second times and referred to the committee on towns and counties.

H. B. No. 84, "A bill for an act to amend section 961 of the fifth division of the revised statutes of Montana," was read first and second times and referred to the committee on towns and counties.

H. B. No. 45, "A bill for an act to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle," was read first and second times and referred to the committee on grazing and stock growing.

Substitute for H. B. No. 1 was read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—Kennedy.—1.

Title agreed to.

C. B. No. 57 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—Kennedy—1.

Title agreed to.

The following report was received

Mr. President:

Your committee of the "whole," to whom was referred.

C. J. M. No. 2, H. B. No. 26, H. B. No. 47, and C. B. No. 62, have had the same under consideration and have instructed me to report the same back as follows:

Amend C. J. M. No. 2, by striking out in latter portion of the first paragraph, the words "to you" and as so amended, recommend its passage.

H. B. No. 47, "An act to supply public schools with Webster's dictionaries," report the same back with substitute and recommend that it do "not" pass.

H. B. No. 26, "Regulating assessment life insurance companies," recommend it "do" pass as amended.

C. B. No. 62, "To prevent the branding of cattle at certain seasons of the year," with the recommendation that in "do" pass.

MORRIS, Chairman.

C. J. M. No. 2, amendments to H. B. No. 47, amendments to H. B. No. 26 and C. B. No. 62 were ordered engrossed.

The council resolved itself into committee of the whole for the consideration of general orders.

Buck in the chair.

Council resumed.
Mr. President in the chair.

On motion of DeWolfe the council adjourned until 10 o'clock a. m. to-morrow.

DAVID MARKS, Chief Clerk.

FORTY-SEVENTH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 27, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.

Journal of forty-sixth day read and approved.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, February 27, 1885.

To the Legislative Council:

I have the honor to inform the legislative council that I have this day signed C. B. No. 25.

Very Respectfully,
B. P. CARPENTER.

A petition from citizens of Lewis and Clarke county, relative to the passage of H. B. No. 20, was read and referred to the committee on military affairs.

The following reports were received:

Mr. President:

Your committee on towns and counties, to whom was referred H. B. No. 56, "A bill for an act to enable the board of county commissioners of Custer county to fund the county indebtedness," have had the same under consideration and report the bill back with an amendment, and recommend that it as amended do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred H. B. No. 73, "An act concerning that portion of the Crow Indian reservation adjacent to Yellowstone county," have had the same under consideration and beg leave to report the bill back with the recommendation that it do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on ways and means to whom was referred H. B. No. 28, "A bill for an act authorizing the governor to contract for the keeping and maintenance of territorial prisoners," have had the same under consideration and beg leave to report it back with the accompanying amendments, and as amended recommend that it do pass.

MORRIS, Chairman.

Mr. President:

The judiciary committee to which was referred C. B. No. 34, "A bill to amend section 155 of chapter 2 of the first division of the revised statutes," have instructed me to report it back, recommending the concurrence of the council in the house amendments to the bill.

S. DEWOLFE, Chairman.

Mr. President:

The judiciary committee to which was referred C. B. No. 73, "A bill to amend sections 1026 and 1029 of the fifth division of the revised statutes," have instructed me to report it back with the accompanying amendments, and when so amended with the recommendation that it pass.

S. DEWOLFE, Chairman.

Mr. President:

The judiciary committee to which was referred C. B. No. 74, "A bill to amend section 447 of the fifth division of the revised laws," have instructed me to report it back with the accompanying amendment, and when so amended to recommend that it be passed.

S. DEWOLFE, Chairman.

Mr. President:

The judiciary committee, reporting on C. B. No. 64, "An act to facilitate the service of process, etc., recommend that the following substitute therefor be adopted.

S. DEWOLFE, Chairman.

Mr. President:

Your committee on grazing and stock growing, to whom was referred C. B. No. 61, have considered the same and recommend its passage with the accompanying amendments.

COTANT, Chairman.

Mr. President:

Your committee on grazing and stock growing, to whom was referred H. B. No. 46, entitled "A bill for act to prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle," have had the bill under consideration and beg leave to report the same back with amendments, and recommend that the bill as amended do pass.

COTANT, Chairman.

Mr. President:

The undersigned members of the judiciary committee report C. B. No. 68, "A bill to repeal an act providing for the election of public administrators," back to the council with the recommendation that it pass.

S. DEWOLFE.
CHESSMAN.

Mr. President:

A minority of the committee on judiciary, reporting on C. B. No. 68, "An act to repeal an act providing for the election of public administrators," recommend that the same do not pass.

H. R. BUCK.

Mr. President:

Your committee on engrossment to whom was referred amendments to H. B. No. 26, "A bill for an act regulating assessment life insurance companies," also substitute for H. B. No. 47, "A bill for an act entitled an act to supply the public schools with Webster's dictionary," beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 45, "A bill for an act authorizing county commissioners to award contract for keeping roads in repair."

Also C. B. No. 62, "A bill for an act to prevent the branding of cattle during certain seasons of the year."

Also C. B. No. 69, "A bill for an act for the appointment of road supervisors and defining their duties,"

Also C. J. M. No. 2, "C. J. M. to the president of the United States concerning Cheyenne Indian reservation"—beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

On motion of Cardwell the amendments offered by the committee on towns and counties to H. B. No. 56 were adopted and the bill was placed on the general orders.

On motion of Kennedy the amendments reported by the committee on ways and means to H. B. No. 28 were adopted and the bill placed on the general orders.

On motion of Kennedy the council concurred in house amendments to C. B. No. 34 and the bill was ordered enrolled.

On motion of Kennedy the amendments offered by the judiciary committee to C. B. No. 73 were adopted and the bill placed upon the general orders.

On motion of Fergus the amendments reported by the judiciary committee to C. B. No. 74 were adopted and the bill was placed upon the general orders.

On motion of Buck the substitute offered by the judiciary committee to C. B. No. 64 was adopted and the substitute was placed upon the general orders.

On motion of Buck the amendments offered by the committee on grazing and stock growing to C. B. No. 61 were adopted and the bill placed upon the general orders.

On motion of Fergus the amendments offered by the committee on grazing and stock growing to H. B. No. 45 were adopted and the bill was placed upon the general orders.

H. B. No. 73 and C. B. No. 68, with the majority and minority reports thereon, were placed upon the general orders.

Notices of the introduction of bills were given as follows:

By DeWolfe—"A bill to amend sections 455 and 1021 of the fifth division of the revised statutes of Montana."

By Kennedy—"A bill for an act in relation to indigent persons brought into the territory or taken from one county to another."

Bills were introduced as follows:

By Chessman—C. B. No. 76, "A bill for an act to amend an act entitled an act to incorporate the city of Helena, approved Feb. 22,

1881," was read first and second times and referred to the committee on towns and counties.

By Armstrong—C. B. No. 77, "An act concerning the publication of the syllabi of the decisions of the supreme court," was read first and second times and referred to the committee on judiciary.

Kennedy introduced C. J. R. No. 5, "For the distribution of statutes," was read first and second times and on motion of Mitchell the rules were suspended, the resolution considered engrossed and placed upon the calendar for a third reading.

The following communications were received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., February 26, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Forbis—"A bill for an act to protect gaslight and water companies."

By Page—"A bill for an act to amend chapter 26, article 1, fifth division, revised statutes of Montana."

That bills were introduced as follows:

By Jurgens—H. B. No. 88, "A bill for an act to disestablish the county of Jefferson and to apportion the territory of said county to and between the counties of Lewis and Clarke, Silver Bow and Gallatin."

By Forbis—H. B. No. 89, "An act for the erection of the Montana penitentiary and for other purposes."

Also H. B. No. 90, "An act to protect gaslight and water companies."

By Page—H. B. No. 91, "A bill for an act concerning fences."

The house has refused to concur in the council amendments to H. B. No. 3 and H. J. R. No. 8 and asks for a committee of conference with regard to the former.

The chair has appointed as such committee from the house Messrs. Potts, Forbis and Tingle.

C. B's Nos. 33, 48 and 54 and C. J. R. No. 2 have passed the house and the same are herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 27, 1885.

Mr. Pressdent:

I am instructed by the house to inform your honorable body that the governor has notified the house of the signing of H. B's Nos. 16, 52, 68 and 86.

HARRY H. DAVIS, Chief Clerk.

Mitchell arose to a point of order, viz.:

That the house could not ask for nor appoint a committee of conference without having first asked the council to recede from its amendments.

The chair declared the point well taken.

C. B's Nos. 33, 48 and 54 were ordered enrolled.

The following reports were received:

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 67, "An act in relation to road taxes and to repeal sections 1070 to 1076 inclusive, and 1078 of the fifth division of the revised statutes," beg leave to report the same correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

The committee of the whole report back C. B. No. 70, "An act to incorporate the city of Miles," with the recommendation that it do pass.

BUCK, Chairman.

Mr. President:

The committee of the whole having considered C. B. No. 72, "An act to provide for the support and maintenance of the Anaconda fire department," report the same back with the recommendation that it be rereferred to the committee on towns and counties for amendment.

BUCK, Chairman.

C. B's Nos. 70 and 72 were ordered engrossed.

H. B. No. 47 was read a third time and on motion of Greene the bill was recommitted to the committee on education and labor.

H. B. No. 26 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Kennedy Mitchell, Morris,—10.

Noes—DeWolfe, Mr. President.—2.

Title agreed to.

C. B. No. 45 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—11.

Noes—Kennedy.—1.

Title agreed to.

C. B. No. 62 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

C. B. No. 67 was read a third time and passed by the followiug vote

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—11.

Noes—Kennedy.—1.

Title agreed to.

C. B. No. 69 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—11.

Noes—Kennedy—1.

Title agreed to.

C. J. M. No. 2 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None

Title agreed to.

C. J. R. No. 5 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe. Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

On motion of Chessman the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

The council resolved itself into committee of the whole for the consideration of general orders.

Greene in the chair.

Council resumed.
Mr. President in the chair.

On motion of Kennedy the clerk was instructed to return to the house C. J. R. No. 2 for further information.

By unanimous consent Chessman gave notice as follows:

Mr. President:
I hereby give notice that I will on to-morrow or some subsequent day ask leave to introduce a joint resolution for the relief of George Bashaw, J. H. McFarland and J. W. O'Niel.

On motion of Mitchell the council adjourned until 10 a. m. to-morrow.

DAVID MARKS, Chief Clerk.

FORTY-EIGHTH DAY.

COUNCIL CHAMBER,
Helena, Montana, February 28, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of forty-seventh day read and approved.

On motion of Cardwell, Mitchell was excused for the day.

The following reports were received:

Mr. President:

Your committee on military affairs have had under consideration H. B. No. 20, "An act to organize and regulate the militia," and beg leave to report it back with the accompanying amendment, and as so amended, would recommend that it it do pass.

MORRIS, Chairman.

Mr. President:

Your committee on grazing and stock growing to whom was referred C. B. No. 24, an act to provide for the posting of estrays in this territory, beg leave to report the bill back with an amendment, and recommend that it do pass as amended.

COTANT, Chairman.

On motion of Kennedy the amendments offered by the committee on military affairs to H. B. No. 20 were adopted and the bill placed upon the general orders.

On motion of Green the amendments offered by the committee on grazing and stock growing to C. B. No. 24 were adopted and the bill placed upon the general orders.

The following reports were received:

Mr. President:

Your committee of the whole to whom was referred C. B. No. 74, An act to amend section 447, fifth division of general laws of Montana, having had the same under consideration, have amended the same, and as so amended recommended that it do pass.

GREENE, Chairman.

Mr. President:

Your committee of the whole, to whom was referred H. B. No. 45, A bill for an act to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle, have had the same under consideration and amended it, and as so amended recommend that it do pass.

GREENE, Chairman.

Mr. President:

Your committee of the whole, to whom was referred H. B. No. 28, A bill for an act authorizing the governor to contract for the keeping and maintenance of territorial prisoners, having had the same under consideration, have directed me to return the same

with the recommendation that it be returned to the committee on ways and means for correction.

GREENE, Chairman.

Mr. President:

Your committee of the whole, to whom was referred C. B. No. 61, A bill for an act requiring all persons selling or giving away certain live stock, to give a bill of sale, have had the same under consideration, have instructed me to return the same without recommendation.

GREENE, Chairman.

Mr. President:

Your committee of the whole, to whom was referred C. B. No. 68, An act to repeal an act for the election of public administrators, have had the same under consideration, and have directed me to return it with the recommendation that it do not pass.

GREENE, Chairman.

Mr. President:

Your committee of the whole, to whom was referred H. B. No. 73, An act concerning that part of the Crow Indian reservation adjacent to Yellowstone county, having had the same under consideration, hereby return the same with the recommendation that it do pass.

GREENE, Chairman.

Mr. President:

Your committee of the whole, to whom was referred C. B. No. 73, An act to amend section 1026 and 1029 of the fifth division of revised statutes, having had the same under consideration, have amended the same, and instructed me to return it with recommendation that as amended it do pass.

GREENE, Chairman.

On motion of Kennedy the amendments to C. B. No. 74 were adopted and the bill was ordered engrossed.

On motion of Barrett the amendments to H. B. No. 45 were adopted and ordered engrossed.

On motion the report of the committee on H. B. No. 28 was adopted.

C. B's 61, 68 and 73 were ordered engrossed.

The committee on the part of the council, appointed to visit the

penitentiary and territorial insane asylum, reported with recommendations.

On motion of Morris the report was adopted and the committee discharged.

Notices were given as follows:

Mr. President:

I hereby give notice that I will on some subsequent day, ask leave to introduce a bill for an act to provide for the teaching of a trade to indigent blind persons.

Also a bill for an act to enable the county of Missoula, to build a jail.

KENNEDY.

Mr. President:

I will at an early day of the session, introduce a bill authorizing the diversion of water for agricultural, manufacturing or other industrial purposes.

S. DEWOLFE.

Bills were introduced as follows:

By DeWolfe—C. B. No. 78, "An act to amend sections 455 and 1021 of the fifth division of the revised statutes."

Read first and second times and referred to the committee on ways and means.

By Kennedy—C. B. No. 79, "An act in relation to indigent persons brought into the territory or taken from one county to another."

Read first and second times and referred to the committee on towns and counties.

By Greene—C. B. No. 80, "An act for the protection of inn and hotel keepers."

Read first and second times and referred to the committee on judiciary.

On motion of Greene, the following resolution was adopted:

Resolved, by the council of the legislative assembly of the territory of Montana, that John B. Reed, the present reporter of the Butte Daily Inter-Mountain, be hereafter excluded from the council chamber of this legislative assembly, for nnwarranted criticism of the motives of members of this body.

H. B. No. 73 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Mitchell.—1.

Title agreed to.

The council resolved itself into a committee of the whole for the consideration of general orders.

Morris in the chair.

Council resumed.
Mr. President in the chair.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., February 28, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that the house insists upon a committee of conference with the council on H. B. No. 3, and instructed the clerk to inform the council, that the house does not wish them to recede from all the amendments proposed by the council to such bill, and therefor ask the conference.

The house respectfully asks the council to recede from their amendments to H. J. R. No. 8.

The house concurred in council amendments to H. B. No. 1.

Mr. Speaker announced the signing of H. B. No. 1.

Herewith find transmitted C. J. R. No. 2 with amended history in house.

HARRY H. DAVIS, Chief Clerk.

On motion of Chessman the council concurred in house amendments to C. J. R. No. 2 and the resolution was ordered enrolled.

On motion of Kennedy the council refused to recede from its amendments to H. J. R. No. 8.

On motion of Kennedy the council took a recess for 10 minutes.

Council resumed.
Mr. President in the chair.

The following report was received:

Mr. President:

Your committee on enrollment, beg leave to report C. B. No. 71, "An act concerning the meeting of the board of county commissioners of Yellowstone county," correctly enrolled.

M. BARRETT, Chairman.

On motion of Greene the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

Fergus introduced C. J. R. No. 6, To defray the expenses of the joint committee visiting the penitentiary and territorial insane asylum, was read first and second times and on motion of DeWolfe, the rules were suspended, the resolution was considered engrossed, read a third time and passed by the following vote:

Ayes—Barrett, Buck, Chessman, Cotant, DeWolfe, Fergus, Greene, Mr. President.—8.

Noes—None.

Absent—Cardwell, Kennedy, Morris.—3.

Absent on leave—Mitchell.—1.

Title agreed to.

On motion of Greene the council took a recess for twenty minutes.

Council resumed.
Mr. President in the chair.

On motion of Greene the vote by which C. B. No. 71 passed, was reconsidered and section 2 was stricken from the bill.

The bill as amended passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Mr. President.—8.

Noes—None.

Absent—DeWolfe, Kennedy, Morris.—3.

Absent on leave—Mitchell.—1.

Title agreed to.

On motion of Greene the council took a recess for 30 minutes.

Council resumed.
Mr. President in the chair.

The president announced signing C. B. No. 71.

On motion of Cardwell the council adjourned until 10 a. m. Monday.

DAVID MARKS, Chief Clerk.

FIFTIETH DAY.

COUNCIL CHAMBER,
Helena, Montana, March 2, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.

In the absence of the president the council was called to order by the clerk.

On motion of Chessman Mitchell was chosen president *pro tem.*

Roll called—quorum present.
Prayer by the chaplain.
Journal of forty-eighth day read and approved.

On motion of Greene, Mr. President was excused for the day.

The following reports were received:

Mr. President:

Your committee on ways and means to whom was referred H. B. No. 28, "A bill for act authorizing the governor to contract for the keeping and maintenance of territorial prisoners," have duly considered the same and beg leave to report the bill back with amendments accompanying the same, and recommend its passage as amended.

MORRIS, Chairman.

Mr. President:

Your committee on engrossment to whom was referred H. B. No. 45, "A bill for an act to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle," with amendments, beg leave to report that they have examined the same and find the amendments correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on engrossment, to whom was referred C. B. No. 61, "A bill for an act requiring all persons selling or giving away certain live stock to give bill of sale,"

Also C. B. No. 68, "An act to repeal an act providing for the election of public administrators,"

Also C. B. No. 73, "An act to amend sections 1026 and 1029 of the fifth division of the revised statutes,"

Also C. B. No. 74, "An act to amend section 447, fifth division of the general laws of Montana"—beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on enrollment beg leave to report C. B. No. 71, "A bill for an act concerning the meeting of the board of county commissioners of Yellowstone county,"

C. B. No. 48, "An act for the relief of Josephus P. Martin,"

C. B. No. 33, "An act to amend section 1219 of chapter 67 of the fifth division of the revised statutes,"

C. B. No. 34, "A bill for an act to amend sections 155 and 739 of the first division of the revised statutes of Montana,"

C. B. No. 54, "An act to ratify and validate certain bonds issued by the county of Choteau to erect a court house and jail"—correctly enrolled.

MITCHELL, Chairman.

On motion of Kennedy the amendments to H. B. No. 28, as reported by the committee on ways and means, were adopted and ordered engrossed.

The following reports were received:

Mr. President:

The committee of the whole report back C. B. No. 38, "An act amending an act to establish a series of text books for the public schools," with the recommendation that it do pass as amended.

BUCK, Chairman

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 42, "An act to incorporate the city of Missoula," beg leave to report the same correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole to whom was referred H. B's Nos. 20, 56, C. B. No. 24 and substitute for C. B. No. 64, have duly considered the same and beg leave to report as follows:

That H. B. No. 20, "An act to organize and regulate the militia."

Recommend it do pass as amended.

H. B. No. 56, "An act to enable the board of county commissioners of Custer county to fund the county indebtedness."

Recommend it do pass as amended.

C. B. No. 24, "An act to provide for the posting of estrays in this territory."

Recommend it do pass as amended.

Substitute for C. B. No. 64, "A bill for an act to facilitate the service of process upon personal property and the transfer thereof in certain cases," and recommend its passage.

MORRIS, Chairman.

On motion of Cotant H. B. No. 56 was returned to the committee on towns and counties.

Amendments to H. B. No. 20 and C. B. No. 24, 38, and substitute for C. B. No. 64 were ordered engrossed.

Fergus gave notice as follows:

Mr. President:

I hereby give notice that on to-morrow or some subsequent day I will ask leave to introduce a bill entitled "An act for the better protection of clients in courts of justice.

Bills were introduced as follows:

By Kennedy—C. B. No. 81, "An act to provide for the teaching of a trade to indigent blind persons."

Read first and second times and referred to the committee on towns and counties.

Also C. B. No. 82, "An act to enable the county of Missoula to build a jail," was read first and second times and referred to the committee on towns and counties.

H. B. No. 45 was read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris.—11.

Noes—None.

Absent on leave—Mr. President.—1.

Title agreed to.

C. B. No. 61 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris.—10.

Noes—Kennedy.—1.

Absent on leave—Mr. President.—1.

Title agreed to.

C. B. No. 68 was read a third time and lost by the following vote:

Ayes—Chessman, Cotant, DeWolfe, Mitchell,.—4.

Noes—Barrett, Buck, Cardwell, Fergus, Greene, Kennedy, Morris,—7.

Absent on leave—Mr. President.—1.

C. B. No. 73 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris.—11.

Noes—None.

Absent on leave—Mr. President.—1.

Title agreed to.

C. B. No. 74 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris,—11.

Noes—None.

Absent on leave—Mr. President.—1.

Title agreed to.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 28, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Potts—"A bill for an act concerning the enacting and repealing of statutes."

By Forbis—"A bill for an act to enable the counties of Silver Bow and Gallatin to aid in the construction of a railroad."

By Fisk—"A bill concerning the removal of the county seat of Jefferson county."

By Taylor—"A bill to regulate the fees of county assessor."

By Eastman—"A bill to enable the county commissioners of Missoula to levy a special tax for construction of the Thompson Falls and Cœus d'Alene wagon road."

That C. B's Nos. 46, 32, and C. J. M. No. 1 have been indefinitely postponed and are herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

On motion, the chair on the part of the council appointed Messrs. DeWolfe, Kennedy, and Fergus as a committee of conference on H. B. No. 3.

On motion of Buck the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President *pro tem.* in the chair
Roll called—quorum present.

Absent on leave—Mr. President.—1.

On motion of Morris the council went into executive session with closed doors.

Council resumed, and the clerk was instructed to note upon the journal that the executive session had adjourned until 11 a. m. on Wednesday next.

On motion of DeWolfe the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

FIFTY-FIRST DAY.

COUNCIL CHAMBER,
Helena, Montana, March 3, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of fiftieth day read and approved.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 2, 1885.

To the Legislative Council:

I have the honor to inform the legislative council that on the 28th of February, 1885, I signed C. B. No. 71, entitled "An act concerning the meeting of the county commissioners of Yellowstone county."

Very Respectfully,
B. P. CARPENTER.

The following reports were received:

Mr. President:

Your joint committee on enrollment beg leave to report that H. B's Nos. 52, 38. 16, 86, 68, C. B. No. 25 were presented to the governor at 10:20 a. m. Feb. 26, 1885.

MITCHELL, Chairman.

Mr. President:

Your committee on engrossment to whom was referred H. B. No 20, "An act to organize and regulate the militia," with amendments,

Also, H. B. No. 28, "A bill for an act authorizing the governor to contract for the keeping and maintenance of territorial prisoners" with amendments—beg leave to report that they have examined the same and find the amendments correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 24, "An act to provide for the posting of estrays in this territory,"

Also, C. B. No. 38, "An act to amend an act entitled an act to establish a series of text books for the public schools, approved Feb. 23, 1881,"

Also, C. B. No. 50, "An act to amend an act entitled an act to incorporate the city of Fort Benton"—beg leave to report the same correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

The minority of the ways and means committee beg leave to report amendments to C. B. No. 3, and to recommend that as amended the bill do pass.

FERGUS.

Mr President:

A majority of your committee on ways and means, to whom was referred C. B. No. 3, "Regulating the public printing," and the communication from the Independent publishing company, and the communication from the press association, have had the same under consideration and beg leave to report it back with the following comments, and substitute:

We find there are conflicting claims under the present law, and that two judges of our courts have made conflicting decisions relative to the law in the premises, and that the supreme court has not yet rendered a final decision in the matter.

We also find serious objection to the repeal of the present law for the fear that such repeal might affect the obligation of existing contracts, and believing that all desired improvements in the law can be more easily effected by amending the present printing law,

your committee therefore recommend the following amendments to the present law as a substitute for C. B. No. 3.

W. W. MORRIS.
A. H. MITCHELL.

Mr. President:

Your committee on federal relations have had C. J. M. No. 3, "Concerning the United States penitentiary in Montana," under consideration and recommend that it do pass.

FERGUS, Chairman.

Mr. President:

Your committee on ways and means, to whom was referred C. B. No. 78, "An act to amend sections 455 and 1021 of the fifth division of the revised statutes," have considered the same and report it back recommending its passage.

MORRIS, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 60, entitled "An act to enable the county of Yellowstone to build a court house," have had the same under consideration and report the bill back with amendments, and as amended recommend that the bill do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 79, "An act in relation to indigent persons brought into the territory or taken from one county to another," have had the same under consideration and beg leave to report the bill back with the accompanying amendment, and as amended recommend that the bill do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 76, "A bill for an act to amend an act entitled an act to incorporate the city of Helena, approved Feb. 22, 1881," have had the same under consideration and report the bill back with the recommendation that it do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 72, "A bill for an act to provide for the support and maintenance of the Anaconda fire department," have had the same under consideration and recommend that it do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on towns and counties, to whom was referred C. B. No. 82, "An act to enable the county of Missoula to erect a jail," have had the same under consideration and report the bill back with the recommendation that it do pass as amended.

CARDWELL, Chairman.

Mr. President:

Your committee on towns and counties to whom was recommitted H. B. No. 56, "A bill for an act to enable the board of county commissioners of Custer county to fund the county indebtedness," have considered the same and beg leave to report the same back with accompanying amendment, and recommend its passage as amended.

CARDWELL, Chairman.

Mr. President:

Your committee on ways and means to whom was referred C. B. No. 43, "Relating to fees and salaries," have considered the same and beg leave to report the same back with the accompanying amendments and as so amended recommend its passage.

MORRIS, Chairman.

Mr. President:

Your committee on ways and means to whom was referred C. J. R. No. 4, "For relief of Fisk Bros.," have had the same under consideration and beg leave to report it back without any recommendation.

MORRIS, Chairman.

On motion of Kennedy C. B. No. 3, with the majority and minority reports of the committee on ways and means thereon, were placed upon the general orders.

On motion of Kennedy the amendments offered by the committee on towns and counties to C. B. No. 60 were adopted and placed on general orders.

On motion of Cardwell the amendments offered by the committee on towns and counties to C. B. No. 79 were adopted and the bill was ordered placed on the general orders.

On motion of Kennedy the amendments offered by the committee on towns and counties to C. B. No. 82 were adopted and the bill was placed on the general orders.

C. B. No. 72 and amendments to H. B. No. 56 were ordered engrossed.

On motion of Mitchell the amendments reported by the committee on ways and means to C. B. No. 43 were adopted and the bill as amended was ordered printed.

C. J. M. No. 2. C. J. R. No. 4 and C. B's Nos. 72, 76 and 78 were placed upon the general orders.

The following reports were received:

Mr. President:

A minority of your select committee, to whom was referred H. B. No. 23, having had the same under consideration, beg leave to report the bill back with the accompanying amendments, and recommend that the amendments be adopted.

CHESSMAN.

Mr. President:

We, a majority of the special committee, to which was referred H. B. No. 23, "An act entitled an act to suppress gambling," respectfully offer the following substitute for said bill and recommend that said substitute be adopted in lieu thereof.

H. R. BUCK.
A. H. MITCHELL.

On motion of Chessman H. B. No. 23, with the majority and minority reports thereon, were placed upon the general orders.

Buck gave notice as follows:

Mr. President:

I hereby give notice that to-morrow or some subsequent day I shall ask leave to introduce a bill for an act to authorize and enable the county of Lewis and Clarke and the county of Choteau, Montana territory, to aid in the construction of a railroad to be built between Helena and Benton.

Bills were introduced as follows:

By Fergus—C. B. No. 83, "An act concerning sheriffs," was read first and second times and referred to the committee on judiciary.

Also, C. B. No. 84, "An act entitled an act for the better protection of clients in courts of justice in the territory of Montana," was read first and second times and referred to the committee on judiciary.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 2, 1881.

Mr. President:

I am instructed by the house to inform your honorable body that Speer gave notice of "A bill for an act concerning weights and measures."

Bills were introduced as follows:

By Fisk—H. B. No. 92, "An act concerning the boundaries of the counties of Jefferson, Meagher, Lewis and Clarke, and Silver Bow, and for other purposes."

By Seligman—H. B. No. 93, "An act to enable the county of Jefferson to erect a jail."

By Page—H. B. No. 94, "A bill for an act to prohibit the retailing of intoxicating liquors on Sunday.

By Speer—H. B. No. 95, "A bill for an act concerning weights and measures."

By Wells—H. B. No. 96, "A bill for an act entitled an act to amend section 1 of an act approved Feb. 21, 1881."

H. B's Nos. 83, 62, 63, 42, 74, 15, 91, and 78, and H. J. R. No. 11 have passed the house and are herewith transmitted.

That H. B's Nos. 80 and 34 have been read third time and lost.

Mr. Speaker announced the signing of C. B's Nos. 33, 34, 48, 54 and H. B. No. 73.

The house has concurred in council amendments to H. B. No. 26.

The house respectfully asks for a committee of conference in reference to H. J. R. No. 8, and the chair has appointed as such committee from the house Messrs. Seligman, Biddle and Wells.

The governor has returned to the house H. B's Nos. 19 and 32 without his signature and his reasons therefor.

The vote by which H. B. No. 19 passed the house was reconsidered.

The question being put "Shall the bill pass, the objections of the governor to the contrary notwithstanding?" the bill was lost.

The vote by which H. B. No. 32 passed the house was reconsidered.

The question being put "Shall the bill pass, the objections of the governor to the contrary notwithstanding?" the bill was passed by a vote of 16 to 5 and the same is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

On motion of Kennedy the clerk was instructed to ask the house to forward the objections of the governor to H. B. No. 32.

On motion of Greene the chair appointed Messrs. Greene, Fergus and Cardwell a committee of conference on the part of the council on H. J. R. No. 8.

H. B. No. 91, "A bill for an act concerning fences," was read first and second times and referred to the committee on agriculture.

H. B. No. 15, "A bill for an act relative to water rights," was read first and second times and referred to the committee on mines and minerals.

H. B. No. 74, "A bill for an act to amend section 116 and to repeal section 300 of the first division of the revised statutes of Montana," was read first and second times and referred to the committee on judiciary.

H. B. No. 63, "A bill for an act to amend section 586, article 2, chapter 22 of the fifth division, revised statutes of the territory of Montana," was read first and second times and on motion of Kennedy the rules were suspended and the bill was placed on the calendar for a third reading.

H. B. No. 42, "A bill for an act providing for the transfer of certain records, relating to the Butte town-site," was read first and second times and referred to the members from Deer Lodge and Silver Bow counties.

H. B. No. 62, "A bill for the protection of dairymen and to prevent deception in the sales of butter and cheese," was read first and second times and referred to the committee on agriculture.

H. B. No. 83, "A bill for an act providing fees for jurors on insane inquests," was read first and second times and referred to the committee on judiciary.

H. J. R. No. 11, "For the appointment of additional clerks," was read first and second times and referred to the committee on ways and means.

H. B. No. 78, "A bill for an act regulating the registration and qualification of voters," was read first and second times and referred to the committee on elections.

On motion of Mitchell the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

The following reports were received:

Mr. President:

Your committee on enrollment, beg leave to report that C. J. R. No. 2, "To pay for marks and brands," is correctly enrolled.

MITCHELL, Chairman.

Mr. President:

Your committee on ways and means to whom was referred H. J. R. No. 11, "For the employment of additional clerks," have duly considered the same and recommend that the word "engrossment," where it appear in the resolution, be stricken out and the word "enrollment" be inserted in lieu thereof, and as so amended recommend its passage.

MORRIS, Chairman.

On motion of Buck the amendments were adopted, the rules suspended and the resolution was placed on the calendar for a third reading.

The president announced the signing of C. B's Nos. 33, 34, 54 and 48 and H. B's Nos. 1 and 73.

H. B. No. 20 was read a third time and passed as amended by the following vote:

Ayes—Buck, Chessman, Cotant, DeWolfe, Greene, Kennedy, Mitchell, Morris,—8.

Noes—Barrett, Cardwell, Fergus, Mr. President.—4.

Title agreed to.

The following report was received:

Mr. President:

Your committee on engrossment to whom was referred H. B. No. 56, "A bill for an act to enable the board of county commissioners of Custer county to fund the county indebtedness," with

amendments, beg leave to report that they have examined the same and find the amendments correctly engrossed.

CHESSMAN, Chairman.

H. B. No. 28 was read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe. Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

H. B. No. 63 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

H. J. R. No. 11 was read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe. Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

H. B. No. 56 was read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

The following communication was received:

HOUSE OF REPRESENTATIVES,
HELENA, M. T., March 3, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that the house has concurred in the council amendments to H. B. No. 45.

H. B's Nos. 25, 35, and 53 and H. J. R. No. 10 have passed the house and are herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

C. B. No. 24 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Greene, Kennedy, Mitchell, Mr. President.—10.

Noes—Fergus Morris,—2.

Title agreed to.

C. B. No. 38 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Mitchell,—8.

Noes—DeWolfe, Kennedy, Morris, Mr. President.—4.

Title agreed to.

On motion of Morris the council adjourned until 10 a. m. tomorrow by the following vote:

Ayes—Buck, Cardwell, Cotant, DeWolfe, Mitchell, Morris.—6.

Noes—Barrett, Chessman, Fergus, Kennedy, Mr. President.—5.

DAVID MARKS, Chief Clerk.

FIFTY-SECOND DAY.

COUNCIL CHAMBER,
HELENA, MONT., March 4, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of fifty-first day read and approved.

Fergus moved an amendment to the journal.

Amendment lost.

On motion of Fergus the following was adopted:

Whereas, a democratic president is to be inaugurated to-day at the National capitol, an event that has not occurred before in a quarter of a century now therefore, to enable the democrats an opportunity to properly celebrate the occasion and the republicans an opportunity to witness so rare an event, and further, believing that before night our democratic friends will be so happy that they will be willing to vote for any bill good or bad to the imminent detriment of the public good. Therefore, be it resolved, that the council do now adjourn until Thursday morning at 10 o'clock.

In accordance with the above, the council adjourned until 10 a. m. to-morrow.

DAVID MARKS, Chief Clerk.

FIFTY--THIRD DAY.

COUNCIL CHAMBER,
Helena, Montana, March 5, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called, quorum present.
Prayer by the chaplain.
Journal of fifty-second day read and approved.

The following reports were received:

Mr. President:

Your committee on engrossment, to whom was referred, substitute, for C. B. No. 64, "A bill for an act to facilitate the service of process upon personal property and the transfer thereof in certain cases;" also, C. B. No. 70, "A bill for an act to incorporate the city of Miles;" also, C. B. No. 72, "A bill for an act to provide for the support and maintenance of the Anaconda fire department," beg leave to report the same correctly engrossed

CHESSMAN, Chairman.

Mr. President:

Your committe on printing to which was referred C. B. No. 75, requiring the publication of certain matters, beg leave to report it back correctly printed.

KENNEDY, Chairman.

Mr. President:

Your committee on agriculture, have had under consideration H. B. No. 62, A bill for the protection of dairymen and to prevent

deception in the sale of butter and cheese, and recommend that it do pass.

FERGUS, Chairman.

Mr. President:

Your committee on agriculture, have had under consideration H. B. No. 91, A bill for an act concerning fences, and recommend that the same do pass.

FERGUS, Chairman.

Mr. President:

Your committee on incorporations, recommend that C. B. No. 66, "To incorporate villages," be considered in committee of the whole.

BUCK, Chairman.

C. B. No. 75 was referred to the committee on ways and means.

The following reports were received:

Mr. President:

Your joint committee, appointed under council concurrant resolution No.—to examine and report upon the books and accounts o the territorial auditor and treasurer, for the years 1883 and 1884, respectfully report to the council and house that your committee finding the labor of a thorough examination, would consume more time than your committee could conveniently give from their other legislative duties, employed Mr. Edmund W. Bach (an able and experienced accountant) under the authority given them by the resolution. That Mr. Bach, entered upon the discharge of these duties and has made a complete and minute examination of the books, accounts, vouchers etc., connected with the said offices, and made a report to your committee, which is hereunto annexed and made a part hereof.

From said statement of Mr Bach, and the investigation of your committee, they are satisfied that the books and accounts of the offices of auditor and treasurer, are in a satisfactory condition, and that the duties devolving upon said officers, have been efficiently and faithfully discharged, all of which is respectfully submitted.

MORRIS, Chairman, Council Committee.

S. F. B. BIDDLE, Chairman, House Committee.

I. E. W. Bach, accountant, employed by the joint council and house committee, appointed to examine the auditor's and treasurer's books of Montana territory, do solemnly swear, that I have thoroughly examined the same and found in both cases, that the books are well and correctly kept and that all entries in the same are in accordance with the facts as they appear on same, and that the accompanying is a correct copy of trial balance of each as appears by said books.

EDMUND W. BACH.

Subscribed and sworn to before me this 2d day of March 1885.

V. LAUBENHEIMER, Notary Public.

Helena, M. T., March 2, 1885.

Per instructions of W. W. Morris, chairman of the council committee and S. F. B. Biddle, chairman of the committee of the house of representatives, I have the honor to state that I have made a thorough examination into the duties performed by the territorial auditor for the two years ending December 31st, 1884.

I have carefully examined the books kept by him and find that each and every entry has been correctly made.

I have examined all the warrants, bonds and coupons returned, as paid by the treasurer and find that they all agree with the original entries.

I have also, examined each voucher and find that they were all a valid claim against the territory, and that in every case the amount of warrant drawn on account of same was correct, excepting voucher No. 1212. This claim was for bounty on the following animals:

60 Coyotes,	-	@ 50c.	$30 00	
45 Wolves,	-	@ $1 00	$45 00	$75 00

The auditor drew warrant in payment of the claim as follows:

60 Wolves,	-	@ $1 00	$60 00	
45 Coyotes,	-	@ 50c.	$22 50	$82 50
		Error in overpayment		$7 50

It will be noticed that the error was caused by the transposing of figures, and that the same has been rectified by the auditor, paying into the territorial treasury the sum of $7 50.

As an offset for this apparent oversight on the part of the auditor, I take great pleasure in stating that through his careful examination into the quarterly accounts of the county treasurer's, he has caused them to pay into the territorial treasury several hundred dollars over and above the sums sent by them in settlement of quarterly dues.

The following is the trial balance of his books taken December 31st, 1884:

TRIAL BALANCE.

D. H. Weston, Treasurer	5,237 59	
Territory of Montana	2,555 47	
Escheated Estates		6,010 12
Warrant Account		1,555 93
Jno. McGregor		45 10
T. Rayfield		80 00
A. Metzke		99 67
G. A. Hampton		2 24
	7,793 06	7,793 06

I have also thoroughly examined the books and accounts of the territorial treasurer, and find them correct in each and every particular.

I also find that the duties performed by both the auditor and treasurer, have increased over four-fold in the past two years. For example, look into the matter of warrants alone.

For the two years ending December 31st, 1882 there were drawn 464 warrants.

For the two years ending December 31st, 1884 there were drawn 1248 warrants.

Increase for the two years 784 warrants.

The following is the trial balance of the treasurer's books taken December 31st, 1884.

TRIAL BALANCE.

Cash account	5,237 59	
W. G. Edwards, Ex-Treasurer	322 32	
Territory of Montana	1,140 17	
G. A. Hampton, Ex-Treasurer		2 24
McGregor's Heirs		45 10
Rafield's "		80 00
Mitske's "		99 67
Williams' "		73 00
Murray's "		351 41
Andrews' "		38 54
Bryson's "		131 72
Robb's "		247 01
Miller's "		83 55
Burgin's "		133 41
Heynisch's "		55 96
Leroy's "		100 00
Lussen's "		30 00
Howard's "		237 89
Sinnott's "		38 27
Chamber's "		62 63
Rodgers "		30 77
Campbell's "		75 00
Thompson's "		4,585 83
Autry's "		105 80
Fagan's "		92 28
	6,700 08	6,700 08

Respectfully submitted,

EDMUND W. BACH, Accountant.

Mr. President:

The conference committee appointed by the two branches of the legislature, to consider H. B. No. 3, An act to punish and suppress prize fighting in the territory of Montana, and the amendments of the council to said bill, have had said bill and amendments under consideration and have agreed on additional amendments herewith submitted and recommend the adoption of the amendments, and when so amended recommend that the bill be passed.

S DEWOLFE,
KENNEDY,
FERGUS,
Council Committee.

On motion of Cardwell the report of the joint committee to examine the books of the auditor and treasurer was adopted.

On motion of Greene the report of the committee of conference on H. B. No. 3 was adopted.

Fergus gave notice as follows:

Mr. President:

I hereby give notice that on to-morrow or some subsequent day I will introduce a bill entitled an act in relation to the taxation of mines.

Buck introduced C. B. No. 85, "A bill for an act to authorize and enable the county of Lewis and Clarke and the county of Choteau, Montana territory, to aid in the construction of a railroad to be built between Helena, in the county of Lewis and Clarke, and Benton, in the county of Choteau."

Was read first and second times and referred to the committee consisting of Buck and Chessman.

Morris introduced C. J. R. No. 7, "For the relief of Edmund W. Bach."

Was read first and second times and on motion of Morris the rules were suspended, the resolution was considered engrossed and placed on the calendar for a third reading.

Chessman introduced C. J. R. No. 8, "For the relief of George Bashaw, J. H. McFarland and J. W. O'Neil," and on motion of Chessman the rules were suspended and the resolution was placed upon the general orders.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., March 3, 1881.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills and resolutions were given as follows:

By Norton—"A H. J. R. to provide for the organization of the state of Montana under its consitiution, and for the election of two senators to congress."

By Fisk—"A bill concerning public printing."

By Page—"A bill for an act to amend section 13 of an act entitled an act to protect game, fur-bearing animals and fish, approved March 8, 1883."

By Kohrs—"A bill to amend school law."

C. J. R's Nos. 5 and 6, C. B's Nos. 56, 53, and 58, with amendments, have passed the house and all the same are herewith transmitted.

Mr. Speaker announced the signing of C. J. R. No. 2.

That the house concurs in the council amendments to H. J. R's Nos. 8 and 11.

HARRY H. DAVIS, Chief Clerk.

On motion of Greene, house amendments to C. B. No. 58 were concurred in by the council and the bill was ordered enrolled.

On motion of DeWolfe the council refused to concur in house amendments to C. B. No. 53 and asked the house to recede.

C. B. No. 56 and C. J. R's Nos. 5 and 6 were ordered enrolled.

H. B. No. 25, "A bill for an act limiting the compensation of officers therein named," was read first and second times and was referred to the committee on ways and means.

H. B. No. 35, "A bill for an act to amend sections 179, 181, 198 and 202 of the first division, code of civil procedure, revised statutes of Montana, relating to attachments," was read first and second times and referred to the committee on judiciary.

The president announced the signing of C. J. R. No. 2 and H. J. R's Nos. 8 and 11 and H. B. No. 26.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., March 5, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Seligman—"A bill for an act to enable William Henry Smith to change to William Henry Gavin."

By Taylor—"A bill to annex school district No. 2, Choteau county, to school district No. 8, Lewis and Clarke county, for school purposes."

Mr. Speaker announced the signing of H. J. R's Nos. 8 and 11, and H. B. No. 26.

As per request, copy of Gov. Carpenter's message, with regard to H. B. No. 32, is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

The following is a copy of the communication stating the objections of the governor to H. B. No. 32.

[COPY.]

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, February 20, 1885.

To the House of Representatives:

I herewith return to the house of representatives H. B. No. 32, entitled "An act to amend section 387 of the fifth division of the revised statutes, relative to the duties of county clerks."

My objection to this bill is that in terms it amends said section 387 and then repeals it.

In effect it does not amend anything. It simply repeals.

As a law it could be restrained from mischief only by an unwarrantable tax upon the ingenuity of the courts.

Respectfully submitted,
B. P. CARPENTER, Governor.

On motion of Morris the vote by which H. B. No. 32 passed the council was reconsidered.

The question being put "Shall this bill pass, the objections of the governor to the contrary notwithstanding?" the bill was lost by the following vote:

Ayes—Barrett, Cotant,—2.

Noes—Cardwell, Chessman, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—9.

Absent—Buck,—1.

H. B. No. 53, "An act to authorize the organization and incorporation of annuity safe deposit and trust companies."

Was read first and second times and referred to the committee on corporations.

H. J. R. No. 10, "In reference to official maps of Montana territory."

Was read first and second times and referred to the committee on public lands.

On motion of Mitchell the council took a recess until 2 p. m.

Two p. m.
Council resumed.
Mr. President in the chair.
Roll called—quorum present.

On motion of Chessman the rules were suspended.

C. B. No. 70 was read a third time by title and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None

Title agreed to.

C. J. R. No. 7 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—Fergus,—1.

Title agreed to.

Substitute for C. B. No. 64 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—Kennedy—1.

Title agreed to.

C. B. No. 72 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—Kennedy—1.

Title agreed to.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 5, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that the house refuses to concur in council amendmente to H. B. No. 56 and asks for a committee of conference.

The chair appointed as such committee on the part of the house Messrs. Biddle, Holt and Baldwin.

HARRY H. DAVIS, Chief Clerk.

The chair appointed as a conference committee on the part of the council on H. B. No. 56, Messrs. Mitchell, Cotant and Cardwell.

On motion of Greene the council went into executive session with closed doors.

Council resumed with open doors and the clerk was instructed to note upon the journal that the council in executive session had confirmed the appointments made by the governor of Joseph P. Woolman for territorial auditor, and Daniel H. Weston for territorial treasurer, and that the council refused to confirm the appointment made by the governor of Cornelius Hedges for territorial superintendent of public instruction.

The council resolved itself into a committee of the whole for the consideration of general orders.

DeWolfe in the chair.

.....

Council resume
Mr. President i

On motion of Mitchell the council adjourned until 10 o'clock a. m. to-morrow by the following vote:

Ayes—Buck, Cardwell, Chessman, DeWolfe, Greene, Mitchell, Morris, Mr. President.—8.

Noes—Barrett, Cotant, Fergus, Kennedy.—4.

DAVID MARKS, Chief Clerk.

FIFTY-FOURTH DAY.

COUNCIL CHAMBER,
Helena, Montana, March 6, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.
Prayer by the chaplain.
Journal of fifty-third day read and approved.

The following reports were received:

Mr. President:

Your committee on ways and means to whom was referred C. B. No. 75, "An act requiring the publication of certain matters," have duly considered the same and report the bill back recommending it do pass.

MORRIS, Chairman.

Mr. President:

The judiciary committee to which was referred C. B. No. 84, "An act for the better protection of clients in courts of justice,"

Also, C. B. No. 83, "An act concerning sheriffs"—have had the same under consideration and have agreed to report said bills back with the recommendation that they be not passed.

S. DEWOLFE, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred H. B. No. 84, "A bill for an act to amend section 961 of the fifth division of the revised statutes of Montana" have had the same under consideration and report the bill back with the recommendation that it do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 81, "An act to provide for the teaching of a trade to indigent blind persons," have had the same under consideration and report the bill back with the recommendation that it do pass.

CARDWELL, Chairman.

C. B's Nos. 75, 83, 81 and 84, and H. B. No. 84 were placed upon the general orders.

The following reports were received:

Mr. President:

Your joint committee on enrollment beg leave to report that H. J. R. No. 2, "To pay for marks and brands,"

H. J. R. No. 8, "For placing insurance on Montana law library,"

H. J. R. No. 11, "For the employment of additional clerks," and

H. B. No. 26, "An act regulating assessment of life insurance companies"—were presented to the governor at 2 o'clock p. m. March 5, 1885.

MITCHELL, Chairman.

Mr. President:

Your committee of conference on H. B. No. 56, "A bill for an act to enable the board of county commissioners of Custer county to fund the county indebtedness," appointed to act in conjunction with the committee on the part of the house, respectfully report that they have met their co-committee, and after due consideration have agreed to recede from council amendment to said bill.

MITCHELL, Chairman.

On motion of Mitchell the report of the conference committee was adopted.

The following report was received:

Mr. President:

The committee of the whole have had under consideration C. B. No. 3, "An act in relation to printing," and have instructed me to report it back without recommendation.

Said committee have also had under consideration C. J. R. No. 4 and have instructed me to report it back without recommendation.

Said committee have also had under consideration H. B. No. 23, "An act to suppress gambling," and the amendments thereto offered by the minority of the special committee to which said bill was referred.

Also the report of the majority of said special committee offering a substitute bill in lieu of the house bill, and have instructed me to report back said bill and the amendments, also the substitute bill, without any recommendations.

S. DEWOLFE, Chairman.

Chessman moved that the minority report of the special committee on H. B. No. 23 be adopted.

Cardwell moved a call of the house.

A call was had. Absent—Buck.

The sergeant at-arms was instructed to bring in the absentee.

The absentee having appeared and answered to his name a further call was dispensed with.

The motion of Chessman was lost by the following vote:

Ayes—Barrett, Chessman, Fergus, Kennedy, Morris,—5.

Noes—Buck, Cardwell, Cotant, DeWolfe, Greene, Mitchell, Mr. President.—7.

On motion of Buck the majority report of the special committee on H. B. No. 23 was adopted and the substitute was referred to the judiciary committee.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 5, 1885.

To the Legislative Council:

I have the honor to inforn the legislative council that I have this day signed C. B's Nos. 33, 34, 48 and 54, and C. J. R. No. 2.

Very respectfully,
B. P. CARPENTER.

On motion of Morris the clerk was instructed to transmit to the house a copy of the report of the joint committee examining the books of the auditor and treasurer.

On motion of Kennedy the rules were suspended, C. J. R. No. 4 was considered engrossed and placed on the calendar for a third reading.

Notices were given as follows:

By Mitchell—"A bill for an act to prevent the poisoning of water courses."

By Greene—"A bill entitled an act to form the county of Bridger, the proposition to be left to the vote of the qualified voters of Gallatin county."

On motion of Kennedy C. B. No. 3 was made a special order for 3 p. m. to-day.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 5, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Potts—"A bill for an act to amend section 32 of an act regulating insurance companies, approved March 8, 1883."

By Forbis—"A bill for an act to amend an act to incorporate the town of Butte."

By Page—"A H. J. R. relating to the desert land act of March 3, 1881."

Bills were introduced as follows:

By Seligman—H. B. No. 97, "A bill for an act to enable William Henry Smith to change his name to William Henry Gavin."

By Fisk—"H. B. No. No. 98, "A bill for an act concerning public printing."

By Kohrs—H. B. No. 99, "An act to amend an act entitled an act to authorize school trustees to issue bonds to build or provide school houses."

By Potts—H. B. No. 100, "A bill for an act concerning the enacting and repealing of statutes."

By Eastman—H. B. No. 101, "A bill for an act for the construction of the Thompson's Falls and Murrayville wagon road."

By Forbis—H. B. No. 102, "A bill for an act to enable the counties of Gallatin and Silver Bow to aid in the construction of a railroad."

By Wells—H. B. No. 103, "An act to incorporate the city of Dillon."

By Taylor—H. B. No. 104, "A bill for an act to annex school district No. 25, Choteau county, to school district No. 8, Lewis and Clarke county, for school purposes."

By Forbis—H. B. No. 105, "A bill for an act to amend an act to incorporate the town of Butte."

By Page—H. J. M. No. 3. "Concerning the repeal of the desert land act."

The house has concurred in the council amendments to H. B's Nos. 20 and 28.

The following bills have passed the house:

H. J. R. No. 9, H. B's Nos. 66 and 97 and C. J. M. No. 2, and the same are herewith transmitted.

H. B. No. 92 was lost in the house.

C. B. No. 61 was lost in the house and the same is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

C. J. M. No. 2 was ordered enrolled.

H. J. R. No. 9, "Making appropriation to the law library."

Was read first and second times and referred to the committee on judiciary.

H. B. No. 97, "A bill for an act to enable William Henry Smith to change his name to William Henry Gavin,"

Was read first and second times and on motion of Cardwell the rules were suspended and the bill placed upon the calendar for a third reading.

H. B. No. 66, "A bill for an act concerning official duties,"

Was read first and second times and referred to the judiciary committee.

H. B. No. 97 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—Fergus—1.

Title agreed to.

C. J. R. No. 4 was read a third time and on motion of Buck was referred to a special committee consisting of Kennedy, Buck and Cardwell, with instructions to report facts on to-morrow.

Kennedy moved to take a recess until 2 p. m.

Motion lost.

On motion of DeWolfe the council took a recess until 2 p. m.

Council resumed.
Mr. President in the chair.
Roll called—quorum present.

The following report was received

Mr. President:

Your committee on enrollment beg leave to report that C. B. No. 56, "An act to enable the county of Choteau to pay a balance due for the erection of a court house,"

Also, C. J. R. No. 6, "To defray the expenses of the committee visiting penitentiary and territorial insane asylum"—are correctly enrolled.

MITCHELL, Chairman.

Council resolved itself into committee of the whole for the consideration of general orders.

DeWolfe in the chair.

Council resumed.
Mr. President in the chair.

The hour having arrived for which C. B. No. 3 was made a special order the council proceeded to consider the same.

Kennedy moved that the minority report of the ways and means committee on the same be adopted.

Morris moved to amend by adopting the majority report.

The amendment prevailed by the following vote:

Ayes—Barrett, Buck, Cardwell, DeWolfe, Mitchell, Morris, Mr. President.—7.

Noes—Chessman, Cotant, Fergus, Greene, Kennedy,—5.

The following report was received:

Mr. President:

Your committee on enrollment beg leave to report that C. J. M. No. 2, council joint memorial to the president of the United States, "Concerning Cheyenne Indian resesvation,"

Also, C. J. R. No. 5, "For the distribution of statutes"—are correctly enrolled.

MITCHELL.

Substitute for C. B. No. 3 was ordered engrossed.

On motion of Mitchell the council went into executive session with closed doors.

Council resumed with open doors and the clerk was instructed to note upon the journal that the executive session had adjourned until Monday next after the business of the morning session completed.

On motion of Mitchell the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

FIFTY--FIFTH DAY.

COUNCIL CHAMBER,
Helena, Montana, March 7, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called, quorum present.
Prayer by the chaplain.
Journal of fifty-fourth day read and approved.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 7, 1885.

To the Legislative Council:

I respectfully withdraw the nomination of James H. Mills for superintendent of public instruction.

I do this at the request of the nominee, who has informed me, in substance, that if appointed he would decline the office.

Very Respectfully,
B. P. CARPENTER, Governor.

The following reports were received:

Mr. President:

Your committee on education and labor, to whom was referred C. B. No. 46, "A bill for an act to reate a school text book commission," having considered the bill, beg leave to report the same back with a recommendation that it do pass.

MITCHELL, Chairman.

Mr. President:

Your committee on mines and minerals to whom was referred H. B. No. 15, "A bill for an act relative to water rights," have duly considered the same and have instructed me to report the same back recommending it do pass.

MORRIS, Chairman.

Mr. President:

Your committee on printing, to which was referred C. B. No. 43, "Relating to fees and salaries," would beg leave to report it back correctly printed.

KENNEDY, Chairman.

H. B. No. 15 and C. B's Nos. 43 and 46 were placed upon the general orders.

The following reports were received:

Mr. President:

Your special committee to which was referred C. J. R. No. 4, for the relief of Fisk Bros., beg leave to report the resolution back with the recommendation that it do pass.

KENNEDY, Chairman.

Mr. President:

The committee of the whole house have had under consideration C. J. M. No. 3, concerning the United States penitentiary in Montana, and have instructed me to report it back with the recommendation that it pass.

2nd. Said committee have also had under consideration H. B. No. 62, "An act for the protection of dairymen and to prevent deception in the sales of butter and cheese," and have instructed me to report it back with the recommendation that it pass.

3rd. Said committee have also had under consideratfon C. B. No. 60, "An act to enable the county of Yellowstone to build a court house," and have instructed me to report it back with the recommendation that it pass.

4th. Said committee have also had under consideration C. B. No. 91, "An act concerning fences," and have instructed me to report it back recommending that it pass.

5th. Said committee have also had under consideration C. B. No. 76, "An act to amend an act entitled an act to incorporate the city of Helena," have had said bill under consideration and have directed me to report it back with the accompanying amendment, and when so amended with the recommendation that it pass.

6th. Said committee have also had under consideration C. B. No. 78, "An act to amend sections 455 and 1021 of the fifth division of the revised statutes," and have instructed me to report it back recommending that it pass.

7th. Said committee have also had under consideration C. B. No. 79, "An act in relation to indigent persons brought into the territory or taken from one county to another," and have instructed me to report it back recommending that it pass.

8th. Said committee have also had under consideration C. B. No. 82, "An act to enable the county of Missoula to build a jail," and have instructed me to report it back recommending that it pass.

9th. Said committee have also had under consideration C. J. R. No. 8, for the relief of George Bashaw and others, and have instructed me to report it back recommending that it pass.

10th. Said committee have also had under consideration H. B. No. 84, "An act to amend section 961 of the fifth division of the revised statutes," and have instructed me to report it back recommending that it pass.

11th. Said committee have also had under consideration C. B. No. 75, "An act requiring the publication of certain matters," and have instructed me to report it back recommending that it pass.

12th Said committee have also had under consideration C. B. No. 81, "An act to provide for teaching a trade to indigent blind persons," and have instructed me to report it back with the recommendation that it be passed.

13th. Said committee have also had under consideration C. B. No. 83, and have instructed me to report it back with the recommendation that it do not pass.

14th. Said committee have also had under consideration C. B. No. 84, "An act for the better protection of clients in courts of justice," and have instructed me to report it back with the recommendation that it be not passed.

S. DeWolfe, Chairman.

On motion of Chessman the amendments to C. B. No. 76 were adopted.

C. B's Nos. 60, 91, 78, 79, 82, 75, 81, C. J. M. No. 2 and C. J. R. No. 8 were ordered engrossed.

The following communication was received:

HOUSE OF REPRESENTATIVES,
HELENA, M. T., March 6, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Forbis—"A bill for an act to limit the compensation of justices of the peace and constables."

By Perkins—"A bill for an act to provide for the levy and collection of taxes upon the property of railroad companies in this territory."

Bills were introduced as follows:

By Forbis—H. B. No. 106, "A bill for an act to limit the compensation of justices of the peace and constables."

By Tingle—H. B. No. 107, "A bill for an act to authorize the county of Dawson to issue bonds for certain purposes."

By Potts—H. B. No. 108, "A bill for an act to amend section 32 of an act regulating insurance companies, approved March 8, 1883."

Mr. Speaker announced the signing of H. B's Nos. 45, 20, 28, 63.

The following bills have passed the house:

H. B's Nos. 12, 77, 82, 93, 105, 107 and 108 and the same are herewith transmitted.

The house has concurred in the amendments recommended by the committee of conference to H. B. No. 3.

H. B. No. 7 has been returned by the governor without his signature and with his objections thereto.

The vote by which the bill passed was reconsidered.

The question being put "Shall this bill pass, the objections of the governor to the contrary notwithstanding?" the bill failing to receive a vote equal to two-thirds the bill was declared lost.

H. B. No. 61 has been lost in the house.

C. B. No. 36 as amended has passed the house and the same is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

On motion, house amendments to C. B. No. 36 were concurred in and the bill was ordered enrolled.

Bills were introduced as follows:

By Mitchell—C. B. No. 86, "A bill for an act to prevent the poisoning of water courses."

Read first and second times and referred to the committee on judiciary.

By Greene—C. B. No. 87, "An act to create the county of Bridger and for the election of the officers thereof," was read first time.

Kennedy objected to the bill. Objections not sustained.

Bill read second time and on motion of Buck was laid on the table.

H. B. No. 12, "A bill for an act creating the office of county attorney."

Was read first and second times and referred to the committee on judiciary.

H. B. No. 77, "A bill for an act to provide for the organization of the legislative assembly."

Was read first and second times and referred to the committee on judiciary.

H. B. No. 82, "An act to amend section 349 of the fifth division of the revised statutes of Montana."

Was read first and second times and referred to the committee on ways and means.

H. B. No. 93, "An act to enable the county of Jefferson to erect a jail."

Was read first and second times and on motion of Buck the rules were suspended and the bill was placed on file for a third reading.

H. B. No. 105, "A bill for an act to amend an act entitled an act to incorporate the town of Butte."

Was read first and second times and on motion of Kennedy the bill was referred to DeWolfe.

H. B. No. 107, "A bill for an act to authorize the county of Dawson to issue bonds for certain purposes."

Was read first and second times and referred to the committee on towns and counties.

H. B. No. 108, "A bill for an act to amend section 32 of an act regulating insurance companies, approved March 8, 1883."

Was read first and second times and referred to the committee on ways and means.

H. B. No. 62 was read a third time.

DeWolfe by unanimous consent amended the bill and the same passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title amended so as to read "An act to prevent deception in the sales of butter and cheese."

H. B. No. 84 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe. Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

H. B. No. 91 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

H. B. No. 93 was read a third time and passed by the following vote

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

C. B. No. 84 was read a third time and lost by the following vote:

Ayes—Fergus,—1.

Noes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

C. B. No. 83 was read a third time and lost by the following vote:

Ayes—Fergus, Mr. President.—2.

Noes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Greene, Kennedy, Mitchell, Morris.—10.

C. J. R. No. 4 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe. Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

The president announced the signing of H. B's Nos. 28, 45 and 63.

On motion of Chessman the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

The following reports were received:

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 76, "A bill for an act to amend an act entitled an act to incorporate the city of Helena, approved Feb. 22, 1881,"

Also substitute for C. B. No. 3, "An act to amend sections 981, 983, and 984 of the fifth division of the revised statutes of Montana,"

Also C. J. R. No. 8, "For the relief of George Bashaw, J. H. McFarland and J. W. O'Neil"—beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on education and labor to whom was referred substitute for H. B. No. 47, "A bill for an act entitled an act to

supply the public schools with Webster's dictionary," having considered the same, beg leave to report the substitute back, with amendments, and as amended recommend its passage.

MITCHELL, Chairman.

Mr President:

Your committee on public lands to whom was referred H. J. R. No. 10, "In reference to official maps of Montana territory," have considered the same and beg leave to report it back with the recommendation that it do pass with the amendments attached thereto.

M. BARRETT, Chairman.

On motion of Mitchell the amendments to C. B. No. 47 were adopted and the bill was ordered engrossed.

On motion of Kennedy the amendments to H. J. R. No. 10 were adopted and the resolution was placed on the general orders.

The following report was received:

Mr. President:

The undersigned, a special committee to which was referred H. B. No. 71, "An act to apply certain money to the payment of the bonds of Deer Lodge and Silver Bow counties," have considered the same and report it back with the recommendation that it be passed.

S. DEWOLFE,
MITCHELL,
Special Committee.

C. J. R. No. 8 was read a third time and lost by the following vote:

Ayes—Buck, Cardwell, Chessman, Fergus, Greene, Kennedy,—6.

Noes—Barrett, Cotant, DeWolfe, Mitchell, Morris, Mr. President.—6.

C. B. No. 76 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None

Title agreed to.

Substitute for C. B. No. 3 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Cotant, DeWolfe, Mitchell, Morris, Mr. President.—8.

Noes—Chessman, Fergus, Greene, Kennedy,—4.

Title agreed to.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., March 7, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Mr. Speaker has announced the signing of H. B. No. 3.

C. B's Nos. 44, 50 and 62 as amended, and C. J. R. No. 7 have passed the house and the same are herewith transmitted.

H. B. No. 102 has been transmitted to the council by mistake, and the house respectfully requests its return.

HARRY H. DAVIS, Chief Clerk.

On motion of Kennedy, house amendments to C. B. No. 44 were referred to the judiciary committee.

On motion of Cardwell the council concurred in house amendments to C. B. No. 62 and the bill was ordered enrolled.

On motion of Buck the council concurred in house amendments to C. B. No. 50 and the bill was ordered enrolled.

C. J. R. No. 7 was ordered enrolled.

The council resolved itself into committee of the whole for the consideration of general orders.

Chessman in the chair.

Council resumed.
Mr. President in the chair.

On motion of Greene the council adjourned until 10 a. m. Monday.

DAVID MARKS, Chief Clerk

FIFTY-SEVENTH DAY.

COUNCIL CHAMBER,
Helena, Montana, March 9, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.

Journal of fifty-fifth day read and approved.

On motion of Mitchell, Barrett was excused for the day on account of sickness.

The president announced the signing of C. J. R. No. 5, C. B. No 56 and H. B's Nos. 3, 20, 56 and 97.

The president announced that he had in his possession a message from the governor requiring an executive session.

On motion of Mitchell its consideration was postponed until 11 a. m. to-morrow.

The following reports were received:

Mr. President:

Your committee on corporations report back H. B. No. 58, "An act to authorize the organization and incorporation of annuity safe deposit and trust companies," without recommendation.

BUCK, Chairman.

Mr. President:

Your committee on ways and means, to whom was referred H. B. No. 25, "A bill for an act limiting the compensation of certain officers therein named," have duly considered said bill and report same back recommending it do pass.

MORRIS, Chairman.

Mr. President:

Your committee on ways and means to whom was referred H. B. No. 82, "An act to amend section 349 of the fifth division of the revised statutes of Montana,"

Also H. B. No. 108, "A bill for an act to amend section 32 of an act regulating insurance companies, approved March 8, 1883"—have duly considered the same and report them back recommending they do pass.

MORRIS, Chairman.

Mr. President:

Your committee on judiciary report back C. B. No. 44, "An act to amend chapter 5 of fourth division of criminal laws, relating to burglary," with recommendation that council concur in house amendments.

DEWOLFE, Chairman.

Mr. President:

The judiciary committee to which was referred H. B No. 23, "An act to suppress gambling," have had said bill and also substitute bills, offered in lieu thereof, under consideration, and have prepared, and report herewith, a substitute bill and recommend its passage.

S. DEWOLFE, Chairman.

Mr. President:

Your committee on engrossment to whom was referred C. J. M. No. 3, "Concerning the United States penitentiary in Montana,"

Also C. B. No. 60, "An act to enable the county of Yellowstone to build a court house,"

Also C. B. No. 75, "A bill for an act requiring the publication of certain matters,"

Also C. B. No. 81, "An act to provide for the teaching of a trade to indigent blind persons,"

Also substitute H. B. No. 47, "An act to provide the public schools of the territory of Montana with Webster's dictionary"—beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on elections report back H. B. No. 78, "An act relating to the registration and qualification of voters," without recommendation.

BUCK, Chairman.

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 78, "An act to amend sections 455 and 1021 of the fifth division of the revised statutes of Montana,"

Also C. B. No. 79, "An act in relation to indigent persons brought into the territory or taken from one county to another,"

Also C. B. No. 82, "An act to enable the county of Missoula to build a jail"—beg leave to report that they have examined the same and find them correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

The judiciary committee to which was referred H. J. R. No. 9, "Making an appropriation to the law library,"

Also H. B. No. 12, "An act creating the office of county attorney,"

Also C. B. No. 66, "An act concerning official duties"—recommend the passage of said bills.

Said committee have also considered C. B. No. 80, "An act for the protection of innkeepers," recommend that sections 2 and 3 of said bill be stricken out and that section 4 be numbered section 2, and when so amended recommend its passage.

Said committee have also had under consideration H. B. No. 83, and recommend that it be amended by striking out the word "ten" where it occurs in line 12 and insert in lieu the word "three," and when so amended recommend that it pass.

S. DEWOLFE, Chairman.

Mr. President:

The judiciary committee to which was referred H. B. No. 74 have instructed me to report it back with the recommendation that it pass.

S. DEWOLFE, Chairman.

On motion of Chessman the judiciary committee report, recommending that the council concur in house amendments to C. B. No. 44, was adopted and the bill was ordered enrolled.

H. B. No. 23, with substitute reported by the judiciary committee, were placed on the general orders.

On motion of Kennedy the amendments offered by the judiciary committee to C. B. No. 83 were adopted and the bill was placed on the general orders.

C. B. No. 80, with judiciary committee amendments thereto, was placed on the general orders.

H. B's Nos. 58, 82, 108, 66, and 74, and H. J. R. No. 9 were placed on the general orders.

The following reports were received:

Mr. President:

Your committee of the whole to whom was referred C. B. No. 66, "An act to provide for the incorporation of villages in the territory of Montana," have had the same under consideration and have directed me to report the bill back to the council with amendments, and recommend that as amended the bill do pass.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole, to whom was referred H. J. R. No. 10, "In reference to official maps of Montana territory," have had the same under consideration and have directed me to report the resolution back to the council with the recommendation that it be recommitted to the committee on public lands.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole, to whom was referred H. B. No. 15, "A bill for an act relative to water rights,"

Also H. B. No. 71, "An act to apply certain money to the payment of the bonds of Deer Lodge and Silver Bow counties,"

Also C. B. No. 46, "A bill for an act to create a school text book commission"—have had the same under consideration and have directed me to report the bills back to the council with the recommendation that they do pass.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole, to whom was referred C. B. No. 43, "Relating to fees and salaries," have had the same under consideration and have directed me to report the bill back to the council with the recommendation that it be made the special order for 11 a. m. Monday.

CHESSMAN, Chairman.

On motion of Kennedy the amendments to C. B. No. 66 were adopted, the rules suspended, the bill considered engrossed and placed on the calendar for a third reading.

On motion of Chessman the report of the committee on H. B. No. 10 was adopted.

C. B. No. 46 was ordered engrossed.

On motion of Kennedy C. B. No. 43 and H. B. No. 25 were made a special order for 2:15 to-day.

The following communications were received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 7, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that notices of the introduction of bills were given as follows:

By Fisk—"A bill to regulate the use of oleomargarine and suine by hotels and other public eating houses in the territory of Montana."

By Wells—"A bill for an act entitled an act relating to the appointment of game wardens."

Also "A bill for an act entitled an act to amend an act, approved March 8, 1883, an act to protect game, fur-bearing animals and fish."

By Jurgens—"A bill for an act to enable the county commissioners of Lewis and Clarke county to erect a court house."

That bills and resolutions were introduced as follows:

By Norton—H. J. R. No. 12, "For the organization of the state of Montana under its constitution, and for the election of two senators to congress."

By Page—H. B. No. 109, "An act to amend section 13 of an act entitled an act to protect game, fur bearing animals and fish, approved March 8, 1883."

By Emigh—H. B. No. 110, "An act to enable school district No. 1 of Missoula county to build a school house at Corvallis."

By Forbis—H. B. No. 111, "A bill for an act relating to notaries public."

By Perkins—H. B. No. 112, "A bill for an act to provide for the levy and collection of taxes upon the property of railroads in this territory."

Mr. Speaker announced the signing of H. B's Nos. 3, 56 and 97, and C. B. No. 56, C. J. R. No. 5 and C. J. M. No. 2.

The house recedes from its amendments to C. B. No. 53 and the same is herewith transmitted.

H. B. No. 88 was read a third time and lost.

C. B's Nos. 70, 72 and C. B's Nos. 27 and 42 as amended, and H. B's Nos. 57, 76, 104, 109 and 111 have passed the house and the same are herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 9, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that the house has concurred in the council's amendments to H. B. No. 62 but find the history of the bill incomplete and now return it herewith with the request that the history be corrected.

HARRY H. DAVIS, Chief Clerk.

C. B's Nos. 53, 72 and 70 were ordered enrolled.

On motion of Cardwell the council concurred in house amendments to C. B. No. 27 and the bill was ordered enrolled.

On motion of Greene, house amendments to C. B. No. 42 were referred to the member from Missoula—Mr. Kennedy.

H. B. No. 104, "A bill for an act to annex school district No. 2, Choteau county, to school district No. 8, Lewis and Clarke county, for school purposes,"

Was read first and second times and referred to the members from Choteau and Lewis and Clarke counties.

H. B. No. 111, "A bill for an act relating to notaries public,"

Was read first and second times and on motion of Buck the rules were suspended and the bill was placed on the calendar for a third reading.

H. B. No. 76, "A bill for an act to establish a hospital for the insane," under a suspension of the rules was read first and second times by title and referred to the committee on internal improvements.

Substitute for H. B. No. 57, "A bill for an act for the better protection of live stock interests of the territory,"

Was read first and second times and on motion of Greene was placed on the general orders.

H. B. No. 109, "A bill for an act to amend section 13 of an act entitled an act to protect game, fur-bearing animals and fish, approved March 8, 1883,"

Was read first and second times and referred to the committee on Indian affairs.

H. B. No. 15 was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris, Mr. President.—10.

Noes—None.

Absent—Mitchell.—1

Absent on leave—Barrett.—1.

Title agreed to.

Council substitute for H. B. No. 47 was read a third time and passed by the following vote:

Ayes—Cardwell, Chessman, Cotant, Fergus, Greene,—5.

Noes—DeWolfe, Kennedy, Morris, Mr. President.—4.

Excused—Buck,—1.

Absent—Mitchell,—1.

Absent on leave—Barrett,—1.

Title agreed to.

H. B. No. 71 was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Barrett,—1.

Title agreed to.

H. B. No. 111 was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Barrett,—1.

Title agreed to.

C. J. M. No. 3 was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Barrett.—1.
Title agreed to.

On motion of Kennedy the rules were suspended, C. B. No. 60 was read a third time by title and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.
Noes—None.
Absent on leave—Barrett,—1.
Title agreed to.

The following report was received:

Mr. President:

Your joint committee on enrollment beg leave to report that H. B's Nos. 63, 28, 3, 56, 20, 97 and 45, C. B. No. 56 and C. J. R. No. 5 were presented to the governor at 11:30 a. m. March 9, 1885.

MITCHELL, Chairman.

C. B. No. 75 was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Barrett,—1.

On motion of DeWolfe the title was amended to read as follows:

"A act requiring the publication of licenses and warrants issued, and other matters."

C. B. No. 81 was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus. Greene, Kennedy, Mitchell, Morris, Mr. President.—11.
Noes—None.
Absent on leave—Barrett,—1.
Title agreed to.

C. B. No. 78 was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Barrett,—1.

Title agreed to.

C. B. No. 79 was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Kennedy, Mitchell, Morris, Mr. President.—10.

Noes—None.

Absent—Greene,—1.

Absent on leave—Barrett,—1.

Title agreed to.

On motion of Kennedy the rules were suspended, C. B. No. 82 was read a third time by title and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Barrett,—1.

Title agreed to.

On motion of Mitchell the rules were suspended, C. B. No. 66 was read a third time by title and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent on leave—Barrett,—1.

Title agreed to.

On motion of Mitchell the rules were suspended and C. B. No. 50 was considered enrolled.

On motion of Kennedy the council took a recess until 2 p. m.

Two p. m.
Council resumed.
Mr. President in the chair.
Roll called—quorum present.

Kennedy moved that the rules be suspended, C. B. No. 46 be considered engrossed and be placed on its final passage.

Motion lost.

On motion of Kennedy C. B. No. 43 and H. B. No. 25, which were made a special order for 2:15, were placed on the general orders.

Council resolved itself into a committee of the whole for the consideration of general orders.

Greene in the chair.

Council resumed.
Mr. President in the chair.

Chessman moved to take a recess until 7 p. m:

Mitchell amended by moving to adjourn.

Amendment lost.

Motion of Chessman lost.

On motion of Fergus the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

FIFTY--EIGHTH DAY.

COUNCIL CHAMBER,
Helena, Montana, March 10, 1885.

Council met pursuant to adjournment at 10 o'clock a. m
Mr. President in the chair.
Roll called, quorum present.
Prayer by the chaplain.
Journal of fifty-seventh day read and approved.

The following reports were received:

Mr. President:

Your committee on enrollment beg leave to report that C. B. No. 50, "A bill for an act to amend an act entitled an act to incorporate the city of Fort Benton,"

C. B. No. 58, "A bill for an act to incorporate the city of Billings,"

C. B. No. 72, "A bill for an act to provide for the support and maintenance of the Anaconda fire department,"

C. B. No. 62, "A bill for an act to prevent the branding of cattle during certain seasons of the year,"

C. B. No. 36, "A bill for an act to amend section 211 of the third division of the revised statutes of Montana,"

C. B. No. 44, "A bill for an act to amend chapter 5 of the fourth division, criminal laws of the revised statutes"—are correctly enrolled.

MITCHELL, Chairman.

Mr. President:

The judiciary committee, to which was referred C. B. No. 31, "An act to amend an act concerning fees of jurors in civil cases," have had said bill under consideration and have instructed me to report it back with the recommendation that it pass.

S. DEWOLFE, Chairman.

Mr. President:

Your committee on towns and counties, to whom was referred H. B. No. 107, "A bill for an act to authorize the county of Dawson to issue bonds for certain purposes," have had the same under consideration and beg leave to report the bill back without any recommendation.

CARDWELL, Chairman.

Bills were introduced by unanimous consent, without having given previous notice, as follows:

By DeWolfe—C. B. No. 88, "A bill for an act to amend section 437, fifth division, general laws of the revised statutes,"

Was read first and second times and on motion of DeWolfe was placed upon the general orders.

By Greene—C. B. No. 89, "An act in relation to vacancies in the office of county commissioners,"

Was read first and second times and on motion of Greene was placed on the general orders.

By Greene—C. B. No. 90, "An act to enable the county of Yellowstone to aid in the construction of a railroad,"

Was read first and second times and referred to the committee on internal improvements.

The following report was received:

Mr. President:

Your select committee to which was referred C. B. No. 42, "An act to incorporate the city of Missoula," with house amendments, beg leave to report back a substitute for the house amendments, and recommend its passage.

KENNEDY.

On motion of Kennedy the rules were suspended and the amendments were considered engrossed.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 10, 1885.

To the Legislative Council:

I have the honor to inform the legislative council that I have this day signed C. B. No. 56 and C. J. R. No. 5.

Very Respectfully,
B. P. CARPENTER, Governor.

The president announced the signing of H. B's Nos. 62, 84, 91, 93, and C. J. M. No. 2.

On motion of Fergus the council resolved itself into committee of the whole for the consideration of general orders.

Greene in the chair.

Council resumed.
Mr. President in the chair.

On motion of Mitchell the council took a recess for 20 minutes.

Council resumed.
Mr. President in the chair.

The council resolved itself into a committee of the whole for the consideration of general orders.

Greene in the chair.

Council resumed.
Mr. President in the chair.

On motion of Mitchell the executive session, set for 11 a. m., was postponed until 3 p. m.

The following communications were received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 10, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that the house concurs in the council amendments to the house amendments to C. B. No. 42 and bill is herewith transmitted.

The house refused to concur in council amendments to H. B. No. 47 and bill and amendments are herewith transmitted.

The governor has notified the house of the signing of H. B's Nos. 3, 20, 28, 45, 56, 63 and 97.

HARRY H. DAVIS, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Helena, M. T., March 9, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Mr. Speaker announced the signing of H. B's Nos. 62, 84, 91 rnd 93 and C. J. M. No. 2.

The following bill was introduced:

By Jurgens—H. B. No. 113, "A bill for an act to enable the county of Lewis and Clarke to erect a court house."

The house concurs in council amendments to H. B. No. 62.

HARRY H. DAVIS, Chief Clerk.

On motion of DeWolfe H. B. No. 47 was indefinitely postponed.

On motion of Mitchell the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

On motion of Mitchell the council resolved itself into a committee of the whole for the consideration of general orders.

Greene in the chair.

Council resumed.
Mr. President in the chair.

On motion of Mitchell the council went into executive session with closed doors.

Council resumed with open doors and the clerk was instructed to note upon the journal that the council in executive session confirmed the following nominations of the governor for notaries public:

Henry R. Melton, Dillon, Beaverhead county.
Gilman R. Norris, Judith City, Choteau county.
George E. Huy, Great Falls, " "
Cyrus W. Hickman, Glendive, Dawson county.
Salton Cameron, Cable, Deer Lodge county.
Nicholas Connolly, Philipsburg, Deer Lodge county.
Harry J. Horr, Gardiner, Gallatin county.
John M. D. Green, Jefferson, Jefferson county.
Samuel A. Balliet, Helena, Lewis and Clarke county.
Frank R. Wallace, " " "
Jasper A. Viall, Stanford, Meagher county.
Louis Rotwitt, White Sulphur Springs, Meagher county.
Edward Brassey, Cottonwood, " "
Augustus R. Barrows, Ubet, " "
Thomas J. Frost, Grass Rrange, " "
Hallowell F. Clement, Flat Willow, " "
William Gaddis, Fort Logan, " "
Frank E. Wright, Utica, " "
John P. McSweeny, Stanford, " "
Robert A. Finley, Niehart, " "
Richards G. Wight, " " "
Alfred G. Redding, Martinsdale, " "
William Wilkins, Olden, " "
John B. Tayle, Ulidia, " "
John J. Concanon, Missoula, Missoula county.
James. Landers, " " "
Alvin Lent, " " "
James Morris, Skalkaho, " "
Sam Wilde, Billings, Yellowstone county.

Fergus, by unanimous consent without having given previous notice, introduced C. B. No. 91, "A bill for an act concerning a jail in Meagher county,"

Was read first and second times and on motion of Cardwell the rules were suspended, the bill considered engrossed, read a third time by title and passed by the following vote:

Ayes—Barrett, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President—10.

Noes—None.

Absent—Buck, Kennedy—2.

Title agreed to.

On motion of Chessman the council took a recess until 4:30 p. m.

4:30 p. m.
Council resumed.
Mr. President in the chair.
Roll called—quorum present.

The president announced the signing of C. J. R. No. 6.

The following reports were received:

Mr. President:

Your committee of the whole to whom was referred C. B. No. 43 relating to fees and salaries, have had the same under consideration and have amended the same, and as so amended recommend it do pass.

GREENE, Chairman.

Mr. President:

Your committee of the whole, to whom was referred H. B. No. 12, "A bill for an act to create the office of county attorney," have considered the same and instruct me to return the same back with the recommendation that it do pass.

Also substitute for H. B. No. 57, "A bill for an act for the better protection of the live stock interests of the territory,", recommend that it do pass with amendments.

GREENE, Chairman.

On motion of Greene the amendments to C. B. No. 43 were adopted and the bill was ordered engrossed.

On motion of Kennedy the amendments to substitute to H. B. No. 57 were adopted and the amendments were ordered engrossed.

The following reports were received:

Mr. President:

Your committee on enrollment beg leave to report that C. J. R. No. 7, C. B's Nos. 36, 44, 50, 53, 58, 62, and 72, and H. B's Nos.

62, 84, 91 and 93 were presented to the governor at 10:40 a. m. March 10, 1885.

MITCHELL, Chairman.

Mr. President:

Your committee on Indian affairs, to whom was referred H. B. No. 109, "A bill for an act to amend section 13 of an act entitled an act to protect game, fur-bearing animals and fish, approved March 8, 1883," have had the same under consideration and beg leave to report the bill back with the recommendation that it do pass.

MITCHELL, Chairman.

H. B. No. 109 was placed upon the general orders.

Mitchell moved to adjourn.

Motion lost.

On motion of Chessman the council took a recess until 7 p. m.

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7 p. m., council resumed.

In the absence of the president the council was called to order by the clerk.

On motion of Fergus, Kennedy was elected president *pro tem.*

Roll called—no quorum present.

Greene moved a call of the house. A call was had.

Absent—Buck, Cardwell, Cotant, Mitchell, Morris, Mr. President.

The sergeant-at-arms was instructed to bring in the absentees.

On motion of DeWolfe a further call was dispensed with.

On motion of Greene the council adjourned until 10 a. m. tomorrow.

DAVID MARKS, Chief Clerk.

FIFTY-NINTH DAY.

COUNCIL CHAMBER,
Helena, Montana, March 11, 1885.

Council met pursuant to adjournment at 10 o'clock a. m.
Mr. President in the chair.
Roll called—quorum present.

Prayer by the chaplain.
Journal of fifty-eighth day read and approved.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 10, 1885.

To the Legislative Council:

I have the honor to inform the legislative council that I have this day signed C. B's Nos. 36, 44, 50, 53, 58, 62 and 72 and C. J. R's Nos. 6 and 7.

Very respectfully,
B. P. CARPENTER.

The following reports were received:

Mr. President:

Your committee on internal improvements to whom was referred C. B. No. 90, "An act to enable the county of Yellowstone to aid in the construction of a railroad," have considered the same and instruct me to return it with the recommendation that it do pass.

GREENE, Chairman.

Mr President:

Your committee on public lands to which was recommitted H. J. R. No. 10, in reference to official maps of Montana territory, beg leave to report it back with the following amendments:

Amend section 4 by striking out all after the words "Wm. P. Snow" in line 5 of said section, down to the word "dollars" in line 7 of said section, and substituting therefor the following:

"Three hundred copies thereof, mounted on cloth and with rollers, at the price of two."

Your committee would recommend the passage of the resolution as amended.

M. BARRETT, Chairman.

Mr. President:

Your committee on enrollment beg leave to report that C. J. R, No. 6 was presented to the governor at 7:30 o'clock p. m. March 10. 1885.

MITCHELL, Chairman.

On motion of Greene the rules were suspended and C. B. No. 90 was considered engrossed and placed on calendar for third reading.

On motion of Cardwell the amendments reported by the committee on public lands to H. J. R. No. 10 were adopted and amendments ordered engrossed.

By unanimous consent DeWolfe introduced C. B. No. 92, "An act to encourage the propagation of quail and to punish killing thereof,"

Was read first and second times and on motion of Morris the rules were suspended, the bill was considered engrossed, read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—Barrett.—1.

Title agreed to.

On motion of Mitchell the rules were suspended and C. B. No. 42 was considered enrolled.

The following reports were received:

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 46, "A bill for an act to create a school text book commission,"

Also H. B. No. 57, "A bill for an act for the better protection of the live stock interest of the territory," with amendments, beg leave to report the same correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred C. B. No. 65, "An act to apportion the members of the legislative assembly," have had the same under consideration and report the bill back with the recommendation that it do pass.

CARDWELL, Chairman.

On motion of Kennedy the rules were suspended and H. B. No. 31 was taken from the general orders and placed on calendar for third reading.

On motion of Morris the rules were suspended and H. B. No. 12 was read third time by title and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None

Title agreed to.

H. B. No. 31 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe. Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

On motion of Greene H. B. No. 57 was read a third time by title and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Mitchell, Morris, Mr. President.—10.

Noes—DeWolfe, Kennedy,—2.

Title agreed to.

C. B. No. 46 was read a third time and passed by the following vote:

Ayes—Barrett, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Kennedy, Morris, Mr. President.—9.

Noes—Buck, Greene,—2.

Absent—Mitchell,—1.

Title agreed to.

C. B. No. 90 was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—Barrett,—1.

Title amended to read "An act to exempt the Billings and Bull Mountain or Rock Creek railroad from taxation for a term of years."

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., March 10, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that the following bills were introduced:

By Fisk—H. B. No. 114, "A bill for an act to change the name of Maggie S. Rohrbaugh to Maggie S. Putnam."

By Forbis—H. B. No. 115, "An act to confirm a certain deed made by the president, secretary and certain of the trustees of the Montana collegiate institute to James R. Russel, Eiko J. Groenevelt and Duncan J. McMillan, and to confirm the title of the college of Montana to certain real estate in the town of Deer Lodge."

By Biddle—H. B. No. 116, "A bill for an act supplemental to an act entitled an act to enable the board of county commissioners of Custer county to fund the county indebtedness, approved March 10, 1885."

By Potts—H. B. No. 117, "A bill for an act to amend section 62 of fifth division of the revised statutes of Montana, authorizing the territorial auditor to use an engraved fac-simile of signature in issuing licenses and tax receipts."

By Wells—H. B. No. 118, "A bill for an act entitled an act relating to the protection of game."

Also H. B. No. 119, "A bill for an act entitled an act to amend sections 1112, 1114, 1097, 1197 and 1149 of the Montana school law."

Also H. B. No. 120, "A bill for an act entitled an act to amend section 10 of an act to protect game, fur-bearing animals and fish."

The following bills have passed the house:

H. B's Nos. 114, 115, 116, 117, 118, 110, 103, 100, 99, 106, 120, 113, 96, 90, 70, 72, and 101, and H. J. R. No. 12, and the same are herewith transmitted.

Mr. Speaker announced the signing of C. J. R. No. 6.

By unanimous consent Fisk introduced H. B. No. 121, "A bill to regulate the use of oleomargarine, butterine, suine or any substance or article which may or can be used as a substitute for butter or cheese, and to prevent any such substance or article being sold, disposed of or used except by its true name."

C. B. No. 75 was read first time by title and rejected, and the same is herewith transmitted.

H. J. R. No. 13 was introduced by Seligman and, on suspension of the rules, has passed and the same is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

The president announced signing C. B's Nos. 36, 44, 53, 62.

The following reports were received:

Mr. President:

Your committee on enrollment beg leave to report that C. B. No. 42, "A bill for an act to incorporate the city of Missoula,"

Substitute for C. B. No. 27, "An act to create the county of Fergus, and for the election of officers therein"—are correctly enrolled.

MITCHELL, Chairman.

Mr. President:

Your committee on engrossment to whom was referred H. J. R. No. 10, in reference to official maps of Montana territory, with amendments, beg leave to report the amendments correctly engrossed.

CHESSMAN, Chairman.

By unanimous consent Buck introduced C. B. No. 93, "An act to amend section 110 of article 1 of chapter 7 of fifth division of revised statutes of 1879, relating to brands and marks,"

Was read first and second times and on motion of Kennedy the rules were suspended and the bill was placed on the general orders.

On motion of Mitchell the council took a recess until 2 p. m.

Two p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

By unanimous consent Fergus introduced C. B. No. 94, "An act to amend section 11 of an act entitled an act to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle, approved March 10, 1885,"

Was read first and second times and on motion of Mitchell the rules were suspended, the bill was considered engrossed, read a third time by title and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—10.

Noes—None.

Absent—Cotant, Kennedy,—2.

Title agreed to.

The following reports were received:

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 43, "A bill for an act in relation to fees and salaries," beg leave to report that they have examined the same and find it correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee of the whole has had under consideration H. B. No. 25, "A bill for an act limiting the compensation of certain officers therein named," and ask leave to sit again to further consider it.

KENNEDY, Chairman.

Mr. President:

Your committee of the whole has had under consideration C. B. No. 88, "A bill for an act to amend section 437, fifth division, general laws of the revised statutes," and would recommend that it be recommitted to the committee on ways and means for amendment.

KENNEDY, Chairman.

Mr. President:

Your committee of the whole has had under cousideration H. B. No. 83, "A bill for an act providing fees for jurors on insane inquests," with amendments by council judiciary committee, and would recommend that as amended it do pass.

KENNEDY, Chairman.

Mr. President:

Your committee of the whole has had under consideration H. J. R. No. 9, making appropriation to the law library, and C. B. No. 80, "An act for the protection of inn and hotel keepers, and would recommend that they do not pass.

KENNEDY, Chairman.

Mr. President:

Your committee of the whole have had under consideration H. B. No. 74, "A bill for an act to amend section 116 and to repeal section 300 of the first division of the revised statutes of Montana,"

H. B. No. 78, "A bill for an act entitled an act relating to the registration and qualification of voters,"

H. B. No. 82, "An act to amend section 345 of the fifth division of the revised statutes of Montana,"

H. B. No. 107, "A bill for an act to authorize the county of Dawson to issue bonds for certain purposes,"

C. B. No. 89, "An act in relation to vacancies in the office of county commissioners"—and recommend that they do pass.

KENNEDY, Chairman.

Mr. President:

Your committee of the whole house has had under consideration H. B. No. 66, "A bill for an act concerning official duties," and would recommend that it do pass.

KENNEDY, Chairman.

Mr. President:

Your committee of the whole have had under consideration H. B. No. 23, and would recommend the passage of the substitute reported by the judiciary committee, with the following amendments:

Amend section one by inserting after the words ground floor, in line five, the words "or in any room less than nine feet from the ground."

Amend section two by inserting after the words ground floor, in line four, the words "or in any room less than nine feet from the ground."

Amend section three by substituting the word October for the word "July" in the third line of said section."

KENNEDY, Chairman.

Mr. President:

Your committee of the whole house has had under consideration H. B. No. 108, a bill for an act to amend section 32 of an act regulating insurance companies, approved March 8th, 1883, and would recommend its passage with the following amendments:

Amend section one, line 22, by substituting the word two for the word "one" in said line.

KENNEDY, Chairman.

On motion of Kennedy the amendments reported by the committee of the whole to H. B. No. 83 were adopted, and the rules suspended, amendments considered engrossed and placed on calendar for third reading.

On motion of Kennedy C. B. No. 80 was considered engrossed, and the bill was placed on calendar for third reading.

On motion of Morris the amendments reported by the committee of the whole to H. B. No. 23 were adopted and the amendments ordered engrossed.

On motion of Buck the amendments reported by the committee of the whole to H. B. No. 108 were adopted, and the amendments were ordered engrossed.

The following reports were received:

Mr. President:

Your committee on ways and means, to whom was referred C. B. No. 88, "An act limiting the term of office of county treasurers," have had the same under consideration and beg leave to report it back with the following substitute, and recommend that the same do pass.

MORRIS, Chairman.

Morris moved that the substitute offered by the committee on ways and means to C. B. No. 88 be adopted and placed on calendar for a third reading, which motion was lost.

Kennedy moved that the bill and the substitute be placed upon the general orders, which motion was lost.

Morris moved that the substitute be indefinitely postponed, which motion prevailed, and C. B. No. 88 was ordered engrossed.

The following communication was received:

HOUSE OF REPRESENTATIVES,
HELENA, M. T., March 11, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that H. B. No. 121, substitute for H. B. No. 102, and H. J. M. No. 3 have passed the house, and the same are herewith transmitted.

The governor has notified the house of the signing of H. B's Nos. 62, 84, 91 and 93.

Mr. Speaker announced the signing of H. B's Nos. 71 and 111, and of C. B's Nos. 36, 44, 53 and 62.

The house concurred in council amendments to substitute for H. B. No. 57.

HARRY H. DAVIS, Chief Clerk.

H. J. R. No. 13, "For the employment of additional clerks," was read first and second times and, on motion of Mitchell, the rules were suspended, the resolution was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Kennedy, Mitchell, Morris, Mr. President—11.

Noes—None.

Absent—Greene—1.

Title agreed to.

Substitute for H. B. No. 102, "A bill for an act to enable the counties of Madison, Gallatin, Silver Bow, and Jefferson to aid in the construction of a railroad," was read first and second times and, on motion of Morris, was referred to select committee consisting of Morris, DeWolfe and Cardwell.

H. B. No. 113, "A bill for an act to enable Lewis and Clarke county to erect a court house."

On motion of Morris the rules were suspended, the bill read a first and second time by title and referred to the member from Lewis and Clarke.

Substitute for H. J. R. No. 12, "For the organization of the state of Montana under its constitution, and for the election of two senators to congress,"

Was read first and second times.

Buck moved to refer to committee on Indian affairs.

DeWolfe amended by referring to committee on federal relations.

Which amendment prevailed.

H. B. No, 114, "A bill for an act to change the name of Maggie S. Rohrbaugh to Maggie S. Putnam,"

Was read first and second times and on motion of Cardwell the rules were suspended, the bill read a third time by title and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe. Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

H. B. No. 116, "A bill for an act supplemental of an act entitled an act to enable the board of county commissioners of Custer county to fund the county indebtedness, approved March 10, 1885,"

Was read first and second times and on motion of Mitchell the rules were suspended.

The bill was read third time by title and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Mr. President.—11.

Noes—Morris,—1.

Title agreed to.

H. B. No. 115, "An act to confirm a certain deed made by the president, secretary and certain of the trustees of the Montana collegiate institute to James R. Russel, Eika J. Groenveldt, and Duncan J. McMillan, and to confirm the title of the college of Montana to certain real estate in the town of Deer Lodge,"

Was read first and second times and by unanimous consent was amended by Mitchell and on motion of Mitchell the rules were suspended.

The bill was read a third time by title and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—Fergus,—1.

Title agreed to.

H. B. No. 117, "A bill for an act to amend section 62, 5fth division, revised statntes Montana, authorizing the territorial auditor to use an engraved fac-simile of signature in issuing licenses and tax receipts,"

Was read first and second times and referred to committee on judiciary.

H. B. No. 118, "A bill for an act entitled an act relating to the protection of game,"

Was read first and second times and referred to the committee on towns and counties.

H. B. No. 110, "An act to enable school district No. 1 of Missoula county to build a school house at Corvallis,"

Was read first ond second times and on motion of Kennedy the rules were suspended, and the bill placed on calendar for a third reading.

H. B. No. 100, "A bill for an act concerning the enacting and repealing of statutes,"

Was read first and second times and referred to the committee on judiciary.

H. B. No. 99, "An act to amend an act entitled an act to authorize school trustees to issue bonds to build and provide school houses,"

Was read first and second times and referred to committee on education and labor.

H. J. M. No. 3, "Concerning the repeal of the desert land act of March 3, 1877,"

Was read first and second times and on motion of Cardwell the rules were suspended, the memorial was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Fergus, Greene, Mitchell, Morris.—7.

Noes—Barrett, DeWolfe, Kennedy,—3.

Absent—Cotant, Mr. President.—2.

Title agreed to.

H. B. No. 106, "A bill for an act to limit the compensation of justices of the peace and constables,"

Was read first and second tines and on motion of DeWolfe the rules were suspended, the bill read a third time by title and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris,—11.

Noes—None.

Absent—Mr. President.—1.

Title agreed to.

H. B. No. 96, "A bill for an act entitled an act to amend section 1 of an act approved Feb. 21, 1881,"

Was read first and second times and referred to committee on Indian affairs.

H. B. No. 121, "A bill for an act to regulate the use of oleomargarine, butterine, suine or any substance or article which may or can be used as a substitute for butter or cheese, and to prevent any such substance or article being sold, disposed of or used except by its true name,"

Was read first and second times and referred to committee on internal improvements.

H. B. No. 120, "A bill for an act to amend section 10 to protect game, fur-bearing animals and fish,"

Was read first and second times and referred to committee on public lands.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 11, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that C. B. No. 90 has passed the house and is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

C. B. No. 90 was ordered enrolled.

H. B. No. 70, "A bill for an act to provide for the payment of damages of stock, and from fires occasioned by operating railroads"

Was read first and second times and referred to committee on grazing and stock growing.

H. B. No. 90, "A bill for an act to protect gas-light and water companies,"

Was read first and second times and referred to the judiciary committee.

H. B. No. 72, "A bill for an act to suppress hurdy houses and dances,"

Was read first and second times and referred to the committee on Indian affairs.

H. B. No. 101, "A bill for an act for the construction of the Thompson's Falls and Murrayville wagon road,"

Was read first and second times and referred to committee on towns and counties.

H. B. No. 103, "An act to incorporate the city of Dillon,"

Was read first and second times and referred to committee on towns and counties.

The following reports were received:

Mr. President:

Your committee on engrossment to whom was referred H. B. No 108, "A bill for an act to amend section 32 of an act regulating insurance companies, approved March 8, 1883," with amendments, beg leave to report the amendments correctly engrossed.

CHESSMAN, Chairman.

Mr. President:

Your committee an judiciary to whom was referred H. B. No. 77 "A bill for an act to provide for the organization of the legislative assembly," beg leave to report the same back with amendments, and as amended recommend that the bill do pass.

S. DEWOLFE, Chairman.

On motion of Kennedy the amendments to H. B. No. 77 were adopted, the rules were suspended and the bill placed on calendar for a third reading.

H. J. R. No. 10 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Morris,—9.

Noes—Kennedy, Mitchell,—2.

Absent—Mr. President.—1.

Title agreed to.

H. B. No. 110 was read a third time and passed by the following vote

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris,—11.

Noes—None.

Absent—Mr. President—1.

Title agreed to.

H. B. No. 66 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Kennedy, Morris,—9.

Noes—Mitchell,—1.

Excused—Greene,—1.

Absent—Mr. President.—1.

Title agreed to.

H. J. R. No. 9 was read a third time and lost by the following vote:

Ayes—Buck, Chessman, DeWolfe,—3.

Noes—Barrett, Cardwell, Cotant, Fergus, Kennedy, Mitchell, Morris,—7.

Absent—Greene, Mr. President.—2.

H. B. No. 74 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris,—10.

Noes—Mitchell.—1

Absent—Mr. President.—1.

Title agreed to.

Buck moved to take a recess until 7 o'clock p. m.

Motion lost.

H. B. No. 107 was read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Morris,—9.

Noes—Barrett, Mitchell,—2.

Absent—Mr. President.—1.

Title agreed to.

On motion of Buck council adjourned until 9 o'clock a. m. tomorrow.

DAVID MARKS, Chief Clerk.

SIXTIETH DAY.

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885.

Council met pursuant to adjournment at 9 o'clock a. m
Mr. President in the chair.
Roll called, quorum present.

Journal of fifty-ninth day read and approved.

The following reports were received:

Mr. President:

The judiciary committee to which was referred H. B. No. 35, "An act to amend sections 179, 181, 198 and 202, of the first division, code of civil procedure," have had the same under consideration and have agreed on the following amendments, and when so amended recommend that it pass.

S. DEWOLFE, Chairman.

1st. Amend section 1, page 2, by striking out the words "or one of several defendants."

Mr. President:

Your committee on internal improvements to whom was referred H. B. No. 121, "A bill to regulate the use of oleomargarine, butterine, suine, or any substance or article which may or can be used as a substitute for butter or cheese, and to prevent any such substance or article being sold, disposed of or used except by its true name," having had the same under consideration have instructed me to return the same with the recommendation that it do pass.

GREENE, Chairman.

Mr. President:

Your select committee to whom was referred substitute for H. B. No. 102, "A bill for an act to enable the counties of Madison, Gallatin, Silver Bow and Jefferson to aid in the construction of a railroad," have had the same under consideration and report it back with the recommendation that it do pass.

MORRIS.
DEWOLFE.
CARDWELL.

Mr. President:

Your committee on federal relations to whom was referred H. J. R. No. 12, have had the same under consideration and return the same without recommendation.

FERGUS, Chairman.

On motion of DeWolfe the amendment reported by the judiciary to H. B. No. 35 was adopted and the amendment ordered engrossed.

On motion of Mitchell the rules were suspended, and C. B. No. 43 was placed on final passage.

On motion of Greene the rules were suspended.

The bill was read a third time by title and passed by the following vote:

Ayes—Barrett, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—Buck,—1.

Title agreed to.

On motion of Kennedy the council resolved itself into committee of the whole to consider H. B. No. 25.

Kennedy in the chair.

Council resumed.
Mr. President in the chair.

On motion of Cardwell the rules were suspended.

H. B. No. 202 was taken from the general orders and read a third time and passed by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Mr. President.—9.

Noes—Barrett, Kennedy, Morris,—3.

Title agreed to.

The following reports were received:

Mr. President:

Your committee on public lands to whom was referred H. B. No. 120, "A bill for an act entitled an act to amend section 10 of an act to protect game, fur-bearing animals and fish," having had the same under consideration report the same back with the recommendation that it do pass.

M. BARRETT, Chairman.

Mr. President :

Your committee on grazing and stock growing, to whom was referred H. B. No. 70, "A bill for an act to provide for the payment of damage to stock, and for fires occasioned by operating railroads," have had the same under our consideration and recommend that it do pass.

COTANT, Chairman.

Mr. President :

Your committee on Indian affairs, to whom was referred H. B. No. 72, "A bill for an act to suppress hurdy houses and dances,"

Also H. B. No. 96, "A bill for an act entitled an act to amend section 1 of an act approved Feb, 21, 1881," have had the same under consideration and beg leave to report the bills back with a recommendation that they do pass.

MITCHELL, Chairman.

Mr. President :

Your committee on education and labor to whom was referred H. B. No. 99, "A bill for an act to amend an act entitled an act to authorize school trustees to issue bonds to build or provide school houses," having considered the same beg leave to report the bill back with a recommendation that it do pass.

MITCHELL, Chairman.

Mr. President:

Your select committee to whom was referree H. B. No. 113, "A bill for an act to enable the county of Lewis and Clarke to erect a court house," beg leave to report the same back with amendments, and as amended recommend that the bill do pass.

CHESSMAN.

On motion of Chessman the amendments reported to H. B. No. 113 were adopted.

Amendments were considered engrossed, read a third time and passed as amended by the following vote :

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

The following reports were received :

Mr. President:

Your committee on towns and counties to whom was referred H. B. No. 103, "An act to incorporate the city of Dillon," have had the same under consideration and recommend that it do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on towns and counties to whom was referred H. B No. 118, "A bill for an act entitled an act relating to the protection of game," have had the same under consideration and recommend that it do pass.

CARDWELL, Chairman.

Mr. President:

Your committee on enrollment beg leave to report that C. B. No. 90, "An act to enable the county of Yellowstone to aid in the construction of a railroad," is correctly enrolled.

MITCHELL, Chairman.

On motion of Greene the rules were suspended and H. B. No. 70 was taken from the general orders and placed on calendar for third reading.

On motion of Mitchell the rules were suspended and H. B. No. 53 was taken from the general orders and placed on calendar for third reading.

Mr. President announced the signing of H. B's Nos. 57, 111, 71, 12, 15, H. J. R. No. 13 and C. B's Nos. 27, 72, 50, 58, 67 and C. J. R. No. 7.

The following communications were received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 11, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that C. B's Nos. 91, 74, 63, 51, 81, 78, 45, 69, sub. for C. B. No. 64 and 67 as amended, C. J. M. No. 3, C. J. R. No. 4 and H. B. No. 67 have passed and are herewith transmitted.

Mr. Speaker announced the signing of H. J. R. No. 13.

HARRY H. DAVIS, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Helena, M. T., March 11, 1885.

Mr. President:

I am instructed by the house to respectfully request of your honorable body that it returns to the house sub. for H. B. No. 47.

HARRY H. DAVIS, Chief Clerk.

HOUSE OF REPRESENTATIVES,
HELENA, M. T., March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Mr. Speaker announced the signing of H. B's Nos. 12 and 15.

C. B's Nos. 94 and 76 have passed the house and are herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

On motion of DeWolfe the council concurred in house amendments to C. B. No. 67 and the bill was ordered enrolled.

C. B's Nos. 94, 76, 74, 63, 51, 81, sub. for C. B. No. 64, 91, 78, 45, 69, and C. J. R's Nos. 3 and 4.

The following report was received:

Mr. President:

Your committee on engrossment to whom was referred H. B. No. 23, "A bill for an act to suppress gambling," with substitute, beg leave to report that they have examined the same and find the substitute correctly engrossed.

CHESSMAN, Chairman.

Substitute for H. B. No. 67, "An act to authorize the levy of an additional mill for territorial purposes."

Was read first and second times, rules suspended, read third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Kennedy, Morris, Mr. President.—10.

Noes—None.

Excused—Greene,—1.

Absent—Mitchell,—1.

Title agreed to.

The following report was received:

Mr. President:

Your committee on engrossment to whom was referred H. B. No. 35, "A bill for an act to amend sections 179, 181, 198 and 202 of the first division, code of civil procedure, revised statutes of Montana," with amendments, beg leave to report the same correctly engrossed.

CHESSMAN, Chairman.

C. B. No. 92 ordered enrolled.

On motion of Chessman the rules were suspended, and substitute for H. B. No. 23 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

HOUSE OF REPRESENTATIVES,
Helena, M. T., March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Mr. Speaker announced the signing of C. J. R. No. 7 and C. B's Nos. 50, 58, 64, and 72.

C. B. No. 92 has passed the house and is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

The following reports were received:

Mr. President:

The judiciary committee to which was referred H. B. No. 90 "An act to protect gas-light and water companies," have considered the same and recommend that it pass.

S. DEWOLFE, Chairman

Mr. President:

The judiciary committee to which was referred H. B No. 100 "An act concerning the enacting and repealing of statutes,"

Also H. B. No, 117, "An act to amend section 62 of the fifth division of the revised statutes, authorizing the territorial auditor to use an engraved fac-similie of signature in issuing licenses and tax receipts"—have had said bills under consideration and have instructed me to report said bills back with the recommendation that they pass.

S. DEWOLFE, Chairman.

H. B. No. 53 was taken up for a third reading.

On motion of Mitchell the rules were suspended, read a third time by title and lost by the following vote:

Ayes—Buck, Chessman, Cotant, Fergus, Greene, Mitchell,—5.

Noes—Barrett, Cardwell, DeWolfe, Kennedy, Morris, Mr. President—6.

The following report was received

Mr. President:

Your committee of the whole beg leave to report back H. B. No. 25, "An act limiting the compensation of certain officers therein named," with amendments, and recommend that as amended it do pass:

KENNEDY, Chairman.

On motion of Kennedy the report was adopted and the amendment ordered engrossed.

H. B. No. 70 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—11.

Noes—None.

Absent—Kennedy,—1.

Title agreed to.

H. B. No. 83 was read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, DeWolfe, Fergus, Greene, Morris, Mr. President.—8.

Noes—Cotant, Mitchell,—2.

Absent—Chessman, Kennedy,—2.

Title agreed to.

H. B. No. 108 was read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe. Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

On motion of Cardwell the rules were suspended and H. B. No. 121 was taken from general orders and placed on calendar for a third reading.

H. B. No. 78 was read a third time and lost by the following vote:

Ayes—Chessman, Cotant, Greene, Kennedy, Mr. President.—5

Noes—Barrett, Buck, Cardwell, DeWolfe, Fergus, Mitchell, Morris,—7.

H. B. No. 77 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell.—10.

Noes—Morris, Mr. President.—2

Title agreed to.

Buck by unanimous consent introduced C. B. No. 95, "A bill for an act to encourage the construction of a railroad in the counties of Lewis and Clarke and Choteau."

Was read firat and second times, rules suspended, read a third time and passed by the following vote:

Ayes—Buck, Cardwell Chessman, Cotant, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—10

Noes—Barrett and Kennedy—2.

Title agreed to.

Greene moved that H. B. No. 47 be taken from the table, which motion was lost.

H. B. No. 82 was read a third time and passed by the following vote:

Ayes—Barrett, Cardwell, Chessman, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—10.

Noes—None.

Absent—Buck, Cotant.—2.

Title agreed to.

Mr. President announced signing H. B's Nos. 74, 116, 66, 106, 107.

The following report was received:

Mr. President:

Your committee on towns and counties to whom was referred H. B. No. 101, "A bill for an act for the construction of the Thompson's Falls and Murrayville wagon road," beg leave to report it back with the following amendments, and recommend that as amended it do pass.

CARDWELL, Chairman.

On motion of Kennedy the amendments reported to H. B. No. 101 were adopted, rules suspended, amendments considered engrossed and the bill filed for a third reading.

On motion of Mitchell the council went into executive session with closed doors.

Council resumed with open doors and the clerk was instructed to note upon the journal that the council in executive session had refused to confirm the nomination of the governor of W. Egbert Smith for territorial superintendent of public instruction.

On motion of Mitchell the council took a recess until 2:40 this p. m.

2:40 p. m., council resumed.
Mr. President in the chair.
Roll called—quorum present.

Journal of forenoon session read and approved.

On motion of Barrett the rules were suspended and H. B. No. 103 was taken from general orders and placed on file for third reading.

On motion of Greene the rules were suspended and H. B. No. 109 and 120 were taken from the general orders and placed on calendar for a third reading.

The following report was received:

Mr. President:

Your committee on engrossment to whom was referred H. B. No. 25, "A bill for an act limiting the compensation of certain officers therein named," with amendments, beg leave to report that they have examined the same and find the amendments correctly engrossed.

CHESSMAN, Chairman.

On motion of Cardwell the rules were suspended and H. B. No. 121 was read a third time by title and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None

Title agreed to.

On motion of Kennedy the rules were suspended and H. B. No. 101 was read a third time by title and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

On motion of Greene the rules were suspended and H. B. No. 103 was read a third time by title and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

H. B. No. 120 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

H. B. No. 109 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, Greene, Mitchell, Mr. President.—8.

Noes—DeWolfe, Fergus, Kennedy, Morris.—4.

Title agreed to.

M. President announced that he was about to sign H. B's Nos. 110, 10, 113, 115, 70, 82, 114, 31, H. J. M. No. 3.

On motion of Greene H. B. No. 47 was taken from the table by the following vote:

Ayes—Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Mitchell.—7.

Noes—Barrett, DeWolfe, Kennedy, Morris, Mr. President.—5.
And the clerk was instructed to transmit the bill to the house.

H. B. No. 25 was taken up for third reading and on motion of Morris the rules were suspended, the bill read a third time by title and passed as amended by the following vote:

Ayes—Barrett, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Kennedy, Morris, Mr. President.—9,

Noes—Buck, Greene,—2.

Absent—Mitchell.—1.

Title agreed to.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that the house has refused to concur in the council's substitute for H. B. No. 23 and respectfully requests the council to recede, and said bill and substitute are herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

Chessman moved that the council recede from its substitute to H. B. No. 23 which motion prevailed by the following vote:

Ayes—Barrett, Chessman, Cotant, Fergus, Kennedy, Mr. President.—6.

Noes -Buck, Cardwell, DeWolfe, Greene,—4.

Absent—Mitchell, Morris.—2.

Mr. President announced signing C. B's Nos. 94, 63, 51, 81 and H. J. R. No. 4.

Armstrong moved to reconsider the vote by which the council recedes from its substitute to H. B. No. 23 which motion was lost by the following vote:

Ayes—Buck, Cardwell, DeWolfe, Greene, Mitchell, Mr. President.—6.

Noes—Barrett, Chessman, Cotant, Fergus, Kennedy, Morris,—6.

H. B. No. 122, "A bill for an act to prohibit contractors with the territory from holding seats as members of the legislative assembly"

Was read first and second times and on motion of DeWolfe the bill was indefinitely postponed.

The following report was received:

Mr. President:

Your select committee to whom was referred H. B. No. 104, "A bill for an act to annex school district No. 2, Choteau county, to school district No. 8, Lewis and Clarke county, for school purposes," beg leave to report the same back to the council without recommendation.

CHESSMAN.
BUCK.

On motion of Buck H. B. No. 104 was laid on the table.

The following communications were received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Mr. Speaker announced the signing of H. B's Nos. 66, 74, 102, 106 107, 113, 115, 116, and 117 and C. B's Nos. 42, 85, and 90.

H. B. No. 122 has passed the house and the same is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that the house has concurred in the council amendments to H. B's Nos. 113, 83, 108, 77.

HARRY H. DAVIS, Chief Clerk.

HOUSE OF REPRESENTATIVES.
Helena, Montana, March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body

that Mr. Speaker announced the signing of H. J. M. No. 3, H. J. R. No. 10, H. B's Nos. 31 and 114.

HARRY H. DAVIS, Chief Clerk.

C. B. No. 89 was read a third time and lost by the following vote:

Ayes— Chessman, Cotant, Mitchell, Mr. President.—4.

Noes—Barrett, Buck, Cardwell, DeWolfe, Fergus, Greene, Kennedy, Morris,—8.

C. B. No. 80 was read a third time and lost by the following vote:

Ayes—Fergus, Mitchell,—2.

Noes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Greene, Kennedy, Morris. Mr. President.—10.

The following reports were received:

Mr. President:

Your committee on enrollment beg leave to report that H. B. Nos. 70, 113, 115, 110, 82, 114, 31, and H. J. R. No. 10 were presented to the governor at 3:30 p. m. March 12, 1885.

MITCHELL, Chairman.

Mr. President:

Your joint committee on enrollment beg leave to report that H. B's Nos. 12, 15, 27, 57, 71 and 111, H. J. R. No. 13 and C. B. No. 64 were presented to the governor at 11:15 a. m. March 12, 1885.

MITCHELL, Chairman.

Mr. President:

Your joint committee on enrollment beg leave to report that H. B's Nos. 66, 74, 102, 106, 107, and 116, also C. B's Nos. 42 and 90 and also C. B. No. 27 were presented to the governor at 1:30 p. m. on March 12, 1885.

MITCHELL, Chairman.

Mr. President:

Your committee on enrollment beg leave to report that C. J. R. No. 4, for the relief of Fisk Bros.,

C. B. No. 51, "An act in relation to the presentation and auditing accounts by county commissioners,"

C. B. No. 63, "An act to amend section 62 of chapter 4 of the fourth division of the revised statutes,"

C. B. No. 81, "An act to provide for the teaching of a trade to indigent blind persons,"

C. B. No. 94, "An act to amend section 11 of an act entitled an act to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle, approved March 10, 1885"—are correctly enrolled.

MITCHELL, Chairman.

On motion of Mitchell the council took a recess for 30 minutes.

Council resumed.
Mr. President in the chair.
Roll called—quorum present.

On motion of Kennedy the rules were suspended and H. B. No. 117 was taken from the general orders and placed on a third reading and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

Barrett moved that the vote by which the council receded from its substitute to H. B. No. 23 be now reconsidered.

Kennedy arose to point of order stating that a second motion to reconsider could not be entertained the same day.

Mr. President ruled the point of order not well taken.

Kennedy appealed from the decision of the chair.

The question being put, "shall the decision of the chair be sustained?" the chair was sustained.

The question being put, "shall the council recede from its substitute to H. B. No. 23?" the council refused to recede by the following vote:

Ayes—Barrett, Chessman, Cotant, Fergus. Kennedy, Morris—6.

Noes—Buck, Cardwell, DeWolfe, Greene, Mitchell, Mr. President.—6.

The council resolved itself into committee of the whole to consider the general orders.

Buck in the chair.

Council resumed.

Mr. President in the chair.

On motion of Morris the council went into executive session with closed doors.

Council resumed with open doors, and the clerk was instructed to enter upon the journal that the council had in executive session confirmed the following nominations of the governor:

Territorial Superintendent of Public Instruction—William W. Wylie, of Bozeman.

Territorial Veterinary Surgeon—Thomas Stuart, of Deer Lodge.

To be a board of stock commissioners:

For Choteau county—Robert P. Walker.
For Custer county—Frank Robertson.
For Dawson county—J. S. Day.
For Lewis and Clarke county—Robert S. Hamilton.
For Meagher county—Granville Stuart.
For Yellowstone county—Alion A. Ellis.

The following reports were received:

Mr. President:

Your joint committee on enrollment beg leave to report that council bills No. 51, 63, 81, 94, and C. J. R. No. 4 were presented to the governor at 4 p. m. on March 12th, 1885.

MITCHELL, Chairman.

Mr. President:

Your committee on enrollment beg leave to report that C. B. No. 69, "A bill for an act for the appointment of road supervisors, and defining their duties; C. B. No. 76, "A bill for an act to amend an act entitled an act to incorporate the city of Helena, approved February 22d, 1881;" C. B. No. 67, "An act in relation to road taxes, and to repeal section 1070 to 1076, inclusive, and 1078 of the fifth division of the revised statutes;" C. B. No. 45, "An act authorizing county commissioners to award contracts for keeping roads in repair;" C. B. No. 92, "An act to encourage the propagation of quail

and to punish the killing thereof;" C. B. No. 78, "An act to amend section 455 and 1021 of the fifth division of the revised statutes of Montana," are correctly enrolled.

MITCHELL, Chairman.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 12th, 1885.

To the Legislative Council:

I have the honor to inform the legislative council that I have this day signed council bills Nos. 64, 27 and 94.

Very respectfully,
B. P. CARPENTER.

Mr. President announced the signing of H. B's Nos. 83, 67, 77 and 108.

The following communication was received:

HOUSE OF REPRESENTATIVES,
HELENA, M. T., March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Mr. Speaker announced the signing of C. J. R. No. 4, and C. B's Nos. 51, 63, 81 and 94, and H. B's Nos. 67, 77, 83 and 108.

C. B. No. 95 was read first time and laid on the table for a second reading.

HARRY H. DAVIS, Chief Clerk.

The following report was received:

Mr. President:

Your committee of the whole report back the following bills and recommend that they do pass:

H. B. No. 90, "An act to protect gas-light and water companies."

H. B. No. 99, "An act relating to school trustees."

H. B. No. 96, "An act to protect fish."

H. B. No. 72, "An act to suppress hurdy houses," with title amended to read "An act to suppress hurdy-gurdy dance houses."

C. B. No. 65, to apportion the members of legislative assembly. Amended.

That the following bills do not pass:

H. B. No. 100, concerning repealing and enacting statutes.

H. B. No. 118, "An act to protect game."

C. B. No. 93, "An act to to amend section 110 of article 1 of chapter vii. of fifth division of revised statutes."

That substitute for H. J. R. No. 12, to organize state of Montana, be indefinitely postponed.

BUCK, Chairman.

On motion of Kennedy the amendments reported to C. B. No. 65 were adopted and the bill ordered engrossed.

On motion of Kennedy the amendments reported to H. B. No. 72 from the committee of the whole were adopted.

On motion of Chessman the rules were suspended, the amendments were considered engrossed and the bill read a third time and passed as amended by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

On motion of Kennedy H. J. R. No. 12 was indefinitely postponed.

On motion of Chessman the council took a recess until 8 p. m.

Council resumed.
Mr. President in the chair.
Roll called—quorum present.

Journal of afternoon session read and approved.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 12, 1885.

To the Legislative Council:

I have the honor to inform the legislative council that I have this day signed C. B's Nos. 51, 81, 63, 42, and C. J. R. No. 4.

Very Respectfully,
B. P. CARPENTER.

Mr. President announced the signing of H. B's Nos. 121, 103, 120, C. B's Nos. 76, 92, 78, 69, 67, 45.

The following report was received:

Mr. President:

Your committee on engrossment to whom was referred C. B. No. 65, "A bill for an act to apportion the members of the legislative assembly," beg leave to report the same correctly engrossed.

CHESSMAN, Chairman.

On motion of Mitchell the appointment of Martin Griffith as watchman, to fill the vacancy occasioned by the absence of Mr. Johnson, was unanimously confirmed.

On motion of Mitchell the rules were suspended and C. B. No. 65 was read a third time ane passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, DeWolfe, Fergus, Greene, Mitchell, Morris, Mr. President.—10.

Noes—Kennedy,—1.

Absent—Cotant,—1.

Title agreed to.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Mr. Speaker announced the signing of H. B's Nos. 103, 120, and 121 and C. B's Nos. 45, 67, 69, 76, 78 and 92.

The house has concurred in council amendments to H. B's Nos. 101 and 25.

H. B. No. 69 has passed the house and the same is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

H. B. No. 118 was read a third time and lost by the following vote:

Ayes—Buck, Cardwell, Chessman, Fergus, Mr. President.—5.

Noes—Barrett, DeWolfe, Greene, Kennedy, Morris,—5.

Absent—Mitchell, Cotant,—2.

H. B. No. 100 was read a third time and lost by the following vote:

Ayes—Kennedy,—1.

Noes—Barrett, Buck, Cardwell, Chessman, DeWolfe, Greene, Mitchell, Morris, Mr. President.—9.

Absent—Cotant, Excused—Fergus,—2.

The following report was received

Mr. President:

Your joint committee on enrollment beg leave to report that H. B's Nos. 120, 121, 103, C. B,s Nos. 45, 67, 69, 78, 92 and 76 were presented to the governor March 12, 1885.

MITCHELL, Chairman.

H. B. No. 96 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

H. B. No. 90 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, De Wolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None

Title agreed to.

H. B. No. 99 was read a third time and passed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe. Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

Title agreed to.

The following report was received:

Mr. President:

Your committee on enrollment beg leave to report that C. J. M. No. 3, concerning the United States penitentiary in Montana,

C. B. No. 74, "An act to amend section 447, fifth division of the general laws of Montana,"

C. B. No. 91, "A bill for an act concerning a jail in Meagher county,"

Substitute for C. B. No. 64, "A bill for an act to facilitate the service of process upon personal property and the transfer thereof" are correctly enrolled.

MITCHELL, Chairman.

On motion of Mitchell the council took a recess for 20 minutes.

Council resume .
Mr. President in [illegible]
Roll called—quorum present.

Journal approved to this meeting.

The following report was received:

Mr. President:

Your committee on enrollment beg leave to report C. B's Nos. 45, 67, 69, 76, 78, and 92, and H. B's Nos. 103, 120 and 121 were presented to the governor at 8:30 p. m. March 12, 1885.

MITCHELL.

C. B. No. 93 was read a third time and lost by the following vote:

Ayes—Buck, Chessman, Cotant, Fergus, Greene, Mitchell,—6.

Noes—Barrett, Cardwell, DeWolfe, Kennedy, Morris, Mr. President—6.

Mr. President announced signing H. B's Nos. 101, 109, and 117, sub. for C. B. No. 64, C. B's Nos. 64, 74, 91, and C. J. M. No. 3.

H. B. No. 69, "An act concerning licenses,"

Was read first and second times and on motion of Mitchell the council resolved itself into committee of the whole to consider H. B. No. 69.

Greene in the chair.

Council resumed.
Mr. President in the chair.

The following report was received:

Mr. President:

Your committee on enrollment beg leave to report that C. B's Nos. 91, 74, sub. for C. B. No. 64 and C. J. M. No. 3, H. B's Nos. 101, 117 and 109 were presented to the governor March 12, 1885.

MITCHELL, Chairman.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that C. B. No. 38 has passed the house with amendments and the same is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

Buck moved to adopt the amendments reported by the house to C. B. No. 38.

Greene moved the previous question.

The question being put "Shall the previous question be now put?" the motion prevailed by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Mitchell,—8.

Noes—DeWolfe, Kennedy, Morris, Mr. President.—4.

The question being put "Shall the council adopt the amendments reported from the house?" the amendments were adopted by the following vote;

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, Fergus, Greene, Mitchell,—8.

Noes—DeWolfe, Kennedy, Morris, Mr. President.—4.

C. B. No. 38 was ordered enrolled.

On motion of Chessman the council took a recess until 10:30 p. m.

Council resumed.
Mr. President in the chair.
Roll called—quorum present.
Journal approved to this writing.

Fergus offered the following resolution:

Resolved, That the thanks of this council are justly due, and are hereby tendered, to its president, F. K. Armstrong, for the fair, honorable and impartial manner in which he has presided over its deliberations.

And on motion of Kennedy the resolution was adopted by a unanimous vote.

Kennedy offered the following resolution:

"Resolved, That the council hereby expresses its thanks to David Marks, chief clerk, and to the other officers of this body, for the able and efficient manner in which they have performed their respective duties."

On motion of Greene the resolution was adopted by a unanimous vote:

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that the house has concurred in council amendments to H. B. No. 72.

The governor has announced the signing of H. B's Nos. 12, 15, 57, 71 and 111 and H. J. R. No. 13.

The house reconsidered the vote by which it refused to concur in the council amendments to H. B. No. 47 and has concurred in said amendments.

The governor has annouced the signing of H. B's Nos. 66, 107, 106, 116, 74, 115, 114, 110, 113, 77, 67, 108, and 83 and H. J. R. No. 10.

HARRY H. DAVIS, Chief Clerk.

The following report was received:

Mr. President:

Your committee of the whole, to whom was referred H. B. No. 69, "A bill for an act concerning licenses," have had the same under consideration and instruct me to return the same with the recommendation that it do pass.

GREENE, Chairman.

H. B. No. 69 was read a third time and lost by the following vote:

Ayes—Barrett, Cotant, Fergus, Morris,—4.

Noes—Buck, Cardwell, Chessman, DeWolfe, Greene, Kennedy, Mitchell, Mr. President.—8.

President annonnced signing H. B. No. 25.

Journal approved to this writing.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, M. T., March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that the following amendment to C. B. No. 38 has been adopted.

Add the following after the enacting clause as sections 1 and 2, and the succeeding sections be renumbered to correspond.

The above was attached to the part of the amendments to sections 1 and 2, was lost, and subsequently acted on by the honse.

HARRY H. DAVIS, Chief Clerk.

On motion of Greene the additional amendments reported by the house to C. B. No. 38 were adopted by the following vote:

Ayes—Barrett, Buck, Cardwell, Chessman, Cotant, DeWolfe, Fergus, Greene, Kennedy, Mitchell, Morris, Mr. President.—12.

Noes—None.

The following report was received:

Mr President:

Your committee on enrollment beg leave to report that H. B. No. 25 was presented to the governor at 11 p. m. March 12, 1885.

MITCHELL, Chairman.

Mr. President announced signing H. B's Nos. 90 and 118.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body

that H. J. R. No. 14 has passed the house and is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

H. J. R. No. 14, to consolidate the law and miscellaneous libraries of Montana,"

Was read first and second times and referred to the committee on ways and means.

On motion of Morris the council took a recess until 11;30

Council resumed.
Mr. President in the chair.
Roll called—quorum present.
Journal approved to this writing.

Mr. President announced signing H. B's Nos. 72, 96, and 99.

The following communication was received:

HOUSE OF REPRESENTATIVES,
HELENA, MONT., March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that Mr. Speaker announced the signing of H. B's Nos. 99, 118, 90, 96 72 and 25.

C. B. No. 46 has passed the house and is herewith transmitted.

HARRY H. DAVIS, Chief Clerk.

C. B. No. 46 was ordered enrolled.

On motion of Morris council took a recess for 10 minutes.

Council resumed.
Mr. President in the chair.
Roll called—quorum present.
Journal to this writing read and approved.

On motion of Chessman the chair appointed Chessman and Morris a committee to act with a like committee from the house to wait upon the governor and ascertain if he had any further communication to make.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 12, 1885.

To the Legislative Council:

I have the honor to inform the legislative council that I have

this day signed substitute for C. B. No. 64 and C. B's Nos. 45, 67, 69, 74, 76, 78, 91 and 92.

Very Respectfully,
B. P. CARPENTER.

The following communication was received:

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 12, 1885.

Mr. President:

I am instructed by the house to inform your honorable body that the governor has announced the signing of H. B's Nos. 25, 90, 101, 103, 109, 117, 120, and 121.

Mr. Speaker announced the signing of H. B. No. 47 and C. B's Nos. 46 and 38.

HARRY H. DAVIS, Chief Clerk.

Mr. President announced signing C. B's Nos. 38 and 46.

Committee to wait upon the governor reported that duty performed and that he had no further communication to make.

Mr. President announced that he was about to sign H. B. No. 47.

Mr. President announced that as the hour had arrived to which the fourteenth legislative assembly must close he declared the council adjourned *sine die*.

F. K. ARMSTRONG,
President.

[Attest]

DAVID MARKS, Chief Clerk.